

The daily Examination, and Araignment of Sins; gathered out of the most Reverend the  
Primate of Ireland's Sermon at Lincolns-Inne. Decemb. 3. 1648.

The necessity of dai-  
ly examination, ap-  
pears by these  
Reasons,

1. Because *greene wounds* are easily cured; and nothing *fester's* so quickly, or so slowly, as *sin*: When *David's heart* had presently *snot him* for cutting off the skirt of *Saul's robe*, he heard no more of that: but that *sin with Urias his wife*, wherein he soaked so long, *brake his bones*, as appeareth by his prayer, *Psal. 51. 8.*
2. Thou dost help thy memory by this (my Soul!) for if in *one daies account many sins* be forgotten, how many must be forgotten, if thou leave it to be the *account of many daies?*
3. *Sin divided* thus into parcels, is *more easily dealt with*, as a maffy Tree cut out into Billets, or smaller pieces.
4. Thou dost by this meanes (my Soul!) prevent *Sathan's accusation*: that *Accuser of the brethren* doth (no doubt) *bill thee daily*; what a comfort will it be for thee (my Soule) that thou hast been suing out thy pardon, ere he could come to put in a charge against thee.
5. O my Soule, *Thou lookest daily on every thing else* that thou hast, on thy *House, Land, Cattle, Cloathes*; on whatever thou hast, that may be *impaired*, or *improved* daily; what a shame is it (my Soul!) thy selfe should be lesse considerable to thy selfe.
6. *Thou art permitted to live* but to this purpose, whatever worldly ends of living thou purpose to thy selfe: and thou knowest not, if thou neglect this, whether any more time will be given thee. See *Rev. 2. 11.*
7. If thou performe this exactly, and constantly every night and morning, thou wilt (my Soule!) have but *one day* to answer for all thy parting hence: O what an ease would that be to a dying man!

When these, or the like Reasons have convinced thee of the necessity of this Examination, and affected thy heart with a desire thereto, proceed after this plaine manner.

To be SOBER, is generally to observe a meane in all things, and to moderate our selves in our passions, desires, meat, drink, clothes, mirth, discourses, and all our actions. Examine thy selfe, whether thou	Thoughts	by these 3 words Tit. 2. 12	Soberly	thus: O my Soul! have I been	SOBER in my	Thoughts	Dwell on each of these, & recollect all places, companies, busineses, wherein thou hast been this day imployed, especially examine thy	Thoughts,	
	Words		Justly			Words		when thou wast alone.	
	Actions.		Godly			Godly in my		Actions?	Words, when in Company.
								Actions?	Actions, both waies.

hast according to these particulars, been *sober* in thy thoughts, words, deeds this day: where thou findest thou hast, give God thanks, and beg perverance; where thou findest the contrary, beg pardon, and resolve for the future against it. To be *JUST*, is in thought, word, and deed, to do that right thou wouldst be due to, and the Scriptures require, to the person, soule, body, name, state of every man, to render their dues to all, whether superiours, inferiours, or equals: examine by these particulars how just thou hast this day been, and according as thou findest thy selfe, proceed, as directed in the description of Sobriety. To be *GODLY*, is, to know God, to use, and improve our knowledge of him, to remember him, trust and hop in him, to have love and zeale to him, joy in him, to be thankful, obedient, patient towards him, to fear him and humbly to submit unto him, to reverence and honour him, to be sorry for offending him, to serve and worship him, to pray, read and heare his Word, and that rightly, to sanctifie his name, and glorifie him, in whatever he is made knowne to me by; examine thy selfe, whether thou hast done according, or contrary to these particulars, and then proceed as above directed.

Especially my Soule, thou art to find out thy master-finne, in order to which thou commonly committest most of thy other finnes: as if covetousnesse be thy master-finne, there is no other sin which thou wilt not do to fulfill its desire; thou wilt dishonor God, swear, violate the Lord's day, be disobedient to Superiours, murder, commit adultery, steale, bear false witness, to gratify thy covetousnesse. And so if, or any other.

1. Thy Thoughts are most conversant about; as when *David awoke*, he was presently with God; so art thou with thy master-finne.
2. Thou canst not indure it should be touched, either by thy own examination, or others reproofe.

When thou hast found this Ring-leader of thy sins, go to God with strong cries, beg earnestly of him, O my God give me grace to be deeply sorrowfull for whats past, to resolve presently against it, and for the time to come, to endeavor by all meanes, that this chiefe enemy of my soule may not be re-admitted.

Thy sins of the day being discovered, thou art to discover the hainousnesse of them, lest that thou passe them over too slightly; Therefore they are to be tried and arraigned, by considering these following Points, and saying to thy Soule,

1. O my Soul, thou hast by the sins of this day, forsaken God, whom thou shouldest have simply stuck to, as being most excellent, and amiable in himselfe, and most bountifull also unto thee.
2. Thou hast forsaken him for inconsiderable things, for profit with *Judas*, for pleasure with *Esau*; how wicked dost thou think them, for what they did, and what canst thou think of thy selfe doing the same things? O my Soul! thou hast left God for transitory things, that (if they were permanent) can neither satisfie nor save thee from Death or Judgment; and the lesser thy motive was, the greater is thy sin; especially if thou hast sworne, which is a sin men do gratis commonly, and for no advantage, whose doome is to be seen, *Psal. 25. 2.*
3. Thou hast offended against thy Gods precept O my Soul! and he seemes to speak unto thee, as he did to *Adam*, hast thou eaten of the Tree I forbad thee? Hast thou thought, and spoken, and done this day what I forbad thee?
4. O my Soule, thou hast not offended against his precept only, but notwithstanding his help to observe it, he gave thee grace, and thou didst not use it; a little grace goes far, and thou mightest have thereby kept God's word, *Rev. 3. 8.* but thou hast (my Soule!) received the grace of God in vaine.

If we would judge our selves, we should not be judged, 1 Cor. 11. 31.

Having found the hainousnesse of thy sin, and thy selfe thus guilty, what remains (my Soul!) but that thou sentence thy selfe, and say, O my Soul! how can it be but that God forsakes thee also, and takes away his Spirit, Graces, Angels from thee, leaving thee without guide, or protector to be worried by the Divell, the world, and the flesh? Think whether thou canst sleep in such a case; O then, lest vengeance overtake thee, and to recover thy former interest in God) betake thee quickly unto him, in this or the like Prayer.

Blessed Lord!

I have oft this day by intemperance, unrighteousnesse, & ungodlinesse in thought, word and deed, forsaken thee my God, notwithstanding thy precept, yet thy help of Grace to observe it; and this I have done for inconsiderable things, so that I am now to be forsaken by thee, to be bereft of thy direction, and defence, and to be left to the disposing of the enemies of my soule and body; yet O Lord, thou hast graciously vouchsafed me power to survey my condition, to examine my sins, whilst yet curable, and to be dealt withall, afore the Devils accusation hath drawn down thy vengeance; whilst I am permitted to live, and during this time accepted, this day of salvation, Good Lord perfect what thou hast begun, give me an unfained sorrow for what is past, and an earnest purpose to amend; O let me recover thy good will, that I may rest in thy favour. Deare Father! I long to renew that friendship I had with thee, ere these my sins have broken it: Thou that hast brought me from my sins, to these desires, bring these desires to perfection; re-unite me to thy selfe, and then ravish my heart so with thy excellencies, that I may never more lust after the pleasures, profits, honours of this world, so as to lose that amity which thou shalt this night vouchsafe me: Hear Lord, and answer these my petitions, for Iesus Christ's sake, Amen.

Grudge not to bestow the paines of a life, that will quickly end, to compass that life, which shall never end



One Charge prosecuted sixteen times before sundry Judicatures, within ten years of our late distempers, against MICHAEL ROBERTS D. D. Oxon. long since Senior Fellow of Jesus Colledge, and late Principal, ejected by O. CROMWELL for Loyalty

Charged,

1. January 1648.

**B**Y O. Cromwells Chaplain, Jenkin Lloyd, before the Visitors of Oxford, sitting in Magdalen Colledge. Old Dr. John Wilkinson Chair-man.

2. May 1649.

Before the Committee for advance of Money, and discovery of Delinquents, sitting in the Painted-Chamber, Westminster. L. Howard of Epswick Chair-man.

3. Summer 1650.

Before the Visitors of Oxford, sitting in Merton Colledge. Sir Nath. Brent Chair-man.

4. Autumn 1651.

Before a Committee for the University of Oxford, sitting in the Queens Court Westminster. Fr. Rous Chair-man, sometimes *Ja. Chaloner*.

5. Winter 1651.

Before a Committee for propagating the Gospel, at Wrexham. Dan. Lloyd Chair-man, sometimes *Hugh Courtney*.

6. Summer 1652.

Before the Committee for 9000l. assessed on Anglesey, for declaring for the King, in Summer 1648. Tho. Madrin Chair-man, at Caernarvon.

7. Summer 1653.

Before the Committee for Compounding, in Haberdashers-hall, London. Edw. Cary Chair-man, sometimes Mr. Moyer.

8. Summer 1653.

Before Dr. Owen and his Associates, in the Deans lodging in Christ-church in Oxford. Dr. Owen Chair-man.

9. Spring 1653.

Before the second Visitors of Oxford, sitting in Christ-church. Dr. Owen Chair-man.

10. Summer 1654.

Before the Right Honorable the E. of Pembroke, Visitor of Jesus Colledge, then residing at Wilton.

11. Winter 1654.

Before O. Cromwell at White-hall, who referred it to a Committee of his Council, L. Mulgrave, Sir Gilbert Pickering, Mr. Strickland, Fr. Rous, and Phil. Jones, then Comptroller at White hall.

13. Spring 1655.

Before the Visitors of Oxford again, sitting in Magdalen Colledge. Dr. Goodwin Chair-man.

Summer 1656.

14. Winter 1656.

Before the said Cromwell again, who then referred the same matter to some of his Major Generals, and their deputies.

15. Spring 1656.

Before Major Packer the Anabaptist, sitting in the room next to the Guard-chamber in White-hall.

16. Autumn 1657.

Before O. Cromwell the third time, who upon sight of a Copy of three mens depositions, (taken before Major General Berrie's Committee) that they had seen the defendant in Aimes with the Kings Party; forthwith signed the warrant for his Ejection from the Head-ship of the said Colledge.

The Original warrant is extant with the said Depositions taken before R. Griffith, Tho. Lloyd, Tho. Nicolls, Jo. Carter, A. Ellis, Rog. Soniley.

MICHAEL ROBERTS.




# THE REASONS

## Why the L<sup>rd</sup> Marquifs of Dorchester printed his Letter

The 25<sup>th</sup> of February, 1659. Dated the 13<sup>th</sup> of the same Moneth.

Together with my ANSWER to a printed Paper, called, *A true and perfect Copy of the Lord ROOS his ANSWER to the Marquifs of DORCHESTERS LETTER*, Written the 25<sup>th</sup> of February, 1659.

N the 12<sup>th</sup> of February last, about five in the afternoon, I received the Lord Roos his Paper, mentioned in my printed Letter, and immediately thereupon I writ that Answer, and sent it away Post the next day: And though, both before and after, I was frequently informed, what reports he gave out in the Countrey, yet I held them onely worth my scorn, and at that time had not the least intention of making any thing publick; my Letter being writ *ad hominem*, and not for the Presse. But when I saw for three days together (before I thought of printing it) those scandalous Papers, that were scatter'd up and down, Posted, and Cry'd by the Common Cryer all London over: And this done (besides the injuries most uncivilly offered unto my Daughter, when She had not put him one penny in debt) to confirm by so notorious an Act his idle boasting, that I was afraid to meet him; I was compell'd so to vindicate my self, being deprived of all other means; for then I well knew he durst not Fight. The Posted Papers I need not recite, because they are so common; For the Jewels and Plate therein mentioned, the first were all her own, except one Necklace of Pearl, and some trivial Diamonds: The Plate was no more than she used in her Bed-chamber, and under the value of Threescore pounds: Before she secured these, she was often threatned they should be all taken from her, and not so much left her as a Ring or Spoon: And since, I intreated Persons of Honor to acquaint his Mother (which they did accordingly) that I would make good both what her Son, and my self gave her, and at their owne Rates; But all would not serve, Spleen and Folly prevailed against Honour and Reason. And now upon the whole matter, whether, and how far I am justifiable in publishing that Letter, I willingly submit to the judgement of any indifferent person. And thus I come to the Lord Roos his Answer to the Lord Marquifs of Dorchester's Letter, &c.

This Whelp hath for this Moneth been lick'd over and over, and is yet without form, a rude and indigested lump; If you had used the like quickness in your Reply, as I did in my Answer to your Letter, and therein required an accompt of me with my Sword in my hand, and in stead of Eleven dayes I allow'd you, you had given me but Two, nor so much neither, but in respect of the distance of our dwellings; If in that short time you had not heard from me, with full satisfaction to your demand, you might then upon some grounds have divulged this and more; but now after a Moneths space, when you durst not do like a Man, to answer like a Childe, clear from the purpose, and most apparent scope of my Letter, which was to provoke you to Fight, and not to Rail; This I say would have stigmatiz'd you with an indeleble mark, if you were capable of more Infamy, then is now upon you. **FOR YOU ARE STILL A COWARD, AND DARE NOT FIGHT.** This Expression I must use often, as Cato did his *Puto Carthaginem esse delendam*: You know the Saying, *Cloath an Ape in Tissue*, and it but adds deformity to the Beast; and, the more a Coward seeks to conceal, the more he discovers his Fears: Of the truth of this you are a shameful Example. What a noyse, and blustering do you make, to appear Some-body, as if with Homer's Ulysses you had got the Winds into your empty Bottles? but all in vain; for 'tis with you like a Jade in the Myre, Your labouring to get out, but plunges you the deeper in. **FOR YOU ARE STILL A COWARD, AND DARE NOT FIGHT.** You say, *I was amongst my Gally-pots and Clyster-pipes, when I gave my Choler so violent a Purge*: If so, I was prescribing a Clyster for you to take before our Meeting, else I should sooner have had you in my Nose, than in my Sight. You go on; *I had better have been drunk, and set in the Stocks for it, when I sent the Post with a Whole lot of Ale*. You proceed, *that if I understand any thing in my own Trade, I could not but know, that the Hectique of my own Brain, is more desperate then the Tertian Fits of yours, which are easily cured with a little Sleep*. Is it possible for any man to be so stupid, as to publish himself in print a Common Drunkard? This is the plain English of your Tertian Fits, which if you had called *Quotidian*, you would easily have been believ'd; though indeed they have out-last'd any *Quartan*. You talk of Tutors and School-masters; I have been long since out of their hands; but it is high time you were under their correction; and had I known you, a few weeks before I sent to you in a way of Honor, as I do now, I would for once have play'd the School-master my self, and have brought, in stead of a Sword, a good Rod, the onely fit Weapon to encounter such an Adversary; **FOR YOU ARE STILL A COWARD, AND DARE NOT FIGHT.** You add; *That now I begin to vapour, and tell you I have fought before; and that you have heard I have, with my Wife, and Poet; but if I came off with no more honor then when I was beaten by my Lord Grandison, I had better have kept that to my self*. What you mean by my Poet, I cannot imagine; but you may conceive 'tis not impossible for me to beat a Woman, since I declared such a proneness to Cudgel you. The business between my Lord Grandison and my self, is so fully known to the world, and his Second (an Eye-witness of what pass'd) yet alive, that there is no need for me to speak a word therein; onely this, as a Hector (a name amongst others you are pleas'd to bestow upon me) I tell you, He that will Fight, though he have never so much the worse, loses no reputation: And I protest, I had rather meet with a man of Honour and Courage, though he did beat me (as you word it) then now to Fight and Beat you: But there's no great danger of that, **FOR YOU ARE STILL A COWARD AND DARE NOT FIGHT.** Next, you scribble about *my cutting up Calves, and Dogs; and if by threatening to cram my Sword down your Throat, I do not mean my Pills, you are safe*. Indeed, Experiments in Anatomy have much conduc'd to the bettering mans knowledge; and I make no doubt, had I the dissecting of you in stead of a Calfe, I should find the place, where Cowardise is seated. This would be an acceptable Discovery to our Colledge of Physicians. As concerning my Pills, those you would most fear to take, must be prepared with Steel, for I know between Steel, and you, there is a great Antipathy. And whereas you say, *There is no half quarter of a man but would venture to give me battle*; Alas poor Wretch! you do not understand what Dirt you throw in your owne face; for your not daring to meet me, proves *ex ore tuo*, that you are less then half a quarter of a man; and surely here is both good Grammar, and Logick to boot. And now you tell me, *I am most unsufferable in my unconscionable ingrossing of all Trades, That I am a Doctor of Civil Law, a Barrister of the Common, a Bencher of Greys-Inn, a Professor of Physick, a Fellow of the Colledge, a Mathematician, Caldean, a School-man, and a piece of a Gramarian (as my last work shews, were it consuted) a Philosopher, Poet, Translator, Antisordist, Solicitor, Broker, and Usurer; a Marquifs, Earl, Viscount, Baron, and a Hector: And there is no dealing with me without a Brigade, if I have a Second for every capacity*. What ridiculous stuff is here? *Risum teneatis Amici?* yet I think a less number would scarce secure your Fears, and, even then, you durst not appear in the Head of them; **FOR STILL YOU ARE A COWARD, AND DARE NOT FIGHT.** You say, *for eating the Bread out of the Hectors mouths, you hope some of them will make me give them Compounding dinners, as well as I did to the rest of my Fraternities*. I think you scape fairly, if for abusing them, you can be admitted to Compound for Dinners and Suppers too. You pithily write, *That I measure another mans valour by comparing it with my owne*. I understand in what sence you would be taken, and laugh at it: But yet 'tis true, I ever did, and shall think, of all Gentlemen as I do of my self, till I find them such as you are: And now for the future, I shall measure all Cowards by your Scale. I will omit (for brevity) the rest of your Billingsgate non-sense (indeed your whole Letter is *ejusdem farinae*) and give you this friendly admonition, That you be more careful and circumspect hereafter, and not charge a fault upon another, when at the same instant you commit a greater in the same kind; I mean, your accusing me of Railing, when you your self transcend therein. I have but a word or two more, and I have done with you: You say, *That I might have had the honour I desired to have fallen by your Sword*. I see the Proverb does not hold true in you, that *Bad Memories have good Wits*: I did not desire absolutely to fall by your Sword, but under the condition mentioned in my printed Letter: And as for the honor you vainly put upon falling by it; I think there is not any, but will believe me without swearing; if I could have thought upon a more ignominious thing, I had named it. And now Sir, If your back be not sufficiently loaden, go on, and I will lay more and more weight upon you, till you fall under the burden; **AND STILL YOU ARE A COWARD, AND DARE NOT FIGHT.**

DORCHESTER.



4

A true Translated Copy of a Writ of Prohibition, granted by the Lord Chief Justice  
other the Judges of the Court of *Common Pleas* in *Easter Term* 1676. against the Bishop  
*Chichester*, who had proceeded against, Excommunicated, and thereupon Imprisoned  
*Thomas Watersfield* a Church-warden, for refusing to take the Oath usually tendered  
persons in such Office, by which Writ the Illegality of all such Oaths is declared, and the  
said Bishop Commanded to release and take off his said Excommunication &c. ..

**C**HARLES the Second by the Grace of God King of England, Scotland, France,  
and Ireland, Defender of the Faith, &c. To the Reverend Father in Christ  
Ralph, by Divine Providence Lord Bishop of Chichester, or any other Competent  
Judge in his behalf whatsoever, Greeting; We are informed in our Court, before  
Our Justices at Westminster, on the behalf of Thomas Watersfield, That whereas  
by the Laws of this Our Realm of England, No Person ought to be cited to appear in any  
Court Christian, before any Judge Spiritual, to take any Oath, unless it be only in Cases  
Matrimonial or Testamentary: But whereas also by a certain Act in Parliament, began and  
holden at Westminster the 8th. day of May, in the 13th. year of Our Reign, and there continued  
till Wednesday the 30th. day of July in the 13th. year of Our Reign aforesaid; and from the  
same day the Parliament adjourned untill the 20th. day of November then next following;  
amongst other things it was Enacted by the Authority of the said Parliament, That it should  
not be lawful for any Arch-bishop, Bishop, Vicar General, Chancellour, Commissary, or any  
other Spiritual or Ecclesiastical Officer or Minister, or any other Person, having or exercising  
Spiritual or Ecclesiastical Jurisdiction, to offer, tender, or administer to any person whatsoever  
the Oath usually called the Oath *Ex Officio*, or any other Oath, by which such person to  
whom it may be offered or administred, might be burdened or compelled to confess or accuse  
him or her self of any Criminal matter or thing, whereby he or she might be burdened with any  
Censures or Punishments: as in the said act amongst other things it is more fully contained. Yet  
you the aforesaid Bishop, after the coming forth of this Act (viz. the 23d. day of July in the  
27th. year of Our Reign) in no wise regarding the said Law and Statute, at Chichester in the  
County of Suffex, did offer and tender unto the said Thomas Watersfield, being then Church-  
warden of the Parish Church of Arundel in the said County of Suffex, a certain illegal Oath  
*Ex Officio*, to be performed by the said Thomas Watersfield in a Cause neither Matrimonial nor  
Testamentary; by which the said Thomas Watersfield might be forced to accuse himself of di-  
verse Matters Criminal, and with which he might be burdened with divers Punishments and  
Censures Ecclesiastical. In which Oath, as it was then tendered to the said Thomas Watersfield  
should with his utmost diligence present every person, which then or lately was inhabiting with-  
in the said Parish of Arundel, who hath done any offence or neglected any duty mentioned in  
certain Articles contained in a certain Printed Book (which Book was then and there shewn by  
you the said Bishop to the said Thomas Watersfield) and the said Thomas Watersfield doth aver  
at the time of the tendering the said Oath, and before and afterwards, ever since, and hitherto,  
he hath dwelt and been resident in Arundel aforesaid; and that in the said Printed Book, at the  
same time that the said Oath was tendered to be performed, there was contained amongst o-  
ther things this Question (viz.) Whether every person inhabiting or sojourning within the  
Parish of Arundel aforesaid, did daily resort every Lords-day and Festival days appointed for  
Divine Service, to the Church? And whether they did there remain the whole time of Divine Ser-  
vice quietly, with reverence, order, and decency? And whether the Church-wardens and Officers  
called Sides-men, did observe those which came late after the beginning of Divine Service, or  
went away before the end of the same? And whether they did suffer some to stand idle or  
to talk in the Church Porch, or to walk in the Church-yard, during the time of Prayer  
and Preaching, or other Sacred Duties? And forasmuch as the said Thomas Watersfield did  
then and there refuse to take the said Oath; You the aforesaid Bishop did pronounce the  
Sentence of Excommunication upon him afterwards, that is to say of upon the same 23d. day  
of July, in the 27th. year of our Reign aforesaid, at Chichester aforesaid: In contempt of Us,  
and to the manifest damage, prejudice, and impoverishment of the said Thomas Watersfield, and  
against the form and effect of the said Statute and the Common Law of this our Realm of  
England: And whereas such Pleas by the Laws of England of right belong to Us and not to  
you, We therefore being willing to maintain the Laws of Our Crown and the Law and  
Custom aforesaid, as by the Bond of Our Oath We are bound to do; We forbid you; firm-  
ly enjoinning you not to intermeddle or hold before you the said Bishop the Plea and Sen-  
tence aforesaid, as to any Answers in the said Articles concerning the said Thomas Watersfield,  
or any thing from thence attempted: But that you release and dissolve all Decrees and Sen-  
tences (if any there be) against the said Thomas Watersfield, by reason of the said Fulmina-  
tion: And that you do absolutely release him the said Thomas Watersfield from all Decrees  
and Sentences, upon occasion of the said Fulmination. Teste at Westminster the 6th. day of  
May, in the 28th. year of Our Reign.

The suggestion on with this Prohibition  
is granted, remains recorded in the said  
Court of *Common Pleas* in Mr. *Wurley*  
Office Role the 551.

*Wurley*





A Particular account of the Proceedings at the Old-Bayly, the 17 and 18 of this Instant *October*, with Relation to the Earl of *Shaftsbury*, and others, Prisoners in the Tower; and Mr. *Rouse*, who was Indicted of High Treason, &c.



ON Monday the 17th *October*, began at the *Old-Bayly*, the General-Sessions of Goal-delivery for the City of *London*, and County of *Middlesex*; where several Petitions were presented to the Court, on the behalf of the Earl of *Shaftsbury*, Lord *Howard of Esericke*, Mr. *Wilmore*, and Mr. *Whitaker*, Prisoners in the *Tower*, and Mr. *Wilson* Prisoner in the *Catehouse*, Praying they might be Bayled or brought to their Tryals; upon Reading whereof, the Court Declared,

That as to all the Petitions from the Prisoners in the *Tower*, they were to the same effect with those that had been formerly preferred; and whereupon, all the Judges had delivered their Opinions, that the Matter desired was not within the Power of this Court, but their remedy upon the Act was to move the Court of *Kings Bench* the first week of the next Term, and the Court, was now of the same opinion: And as to the Petition of *Wilson*, he was not within the Power of this Court, in regard the Commission of Goal-delivery, is limited to the Prison of *Newgate*, and extended to no other Prison, and it was mentioned, that the same had been formerly resolved in this Court, upon the like Petition of one *Christian*.

Then the Persons Empannelled to serve on the Grand Jury for the Goal-delivery for *London*, being returned to be Sworn, Objection was made against most of them, by Council that attended by appointment of Mr. Attorney-General, as being Dissenters from the Church of *England*, and two of them being charged by name, were examined by the Court, and they not denying their going to Conventicles, but refusing to Answer, the Court directed the Secondary to name two others; and thereupon directed the Sheriffs to return the Panell so reformed, by putting in the Names of the two Persons so named by the Secondary, instead of the other two which the Sheriffs at first refused to do; but the Lord Chief Justice, and all the other Judges then present, Declaring the Law in that Case; and the Act of 3 *Hen. 8.* being read, the Sheriffs did at last consent to return the Panell so Reformed.

The same day Mr. *John Rouse* was removed from the *Tower* to *Newgate*, in order to his Trial: And on *Tuesday* the 18th, an Indictment of High Treason was Preferred against the said *John Rouse*, by which he is charged to have Compassed and Imagined the Death of the King, and to have endeavoured to raise a Rebellion, and to depose His Majesty from His Crown and Dignity; and this his Wicked and Traiterous Design, to have uttered and declared by Malicious and advised Words and Discourses. The Witnesses were at the desire of the King's Council, Examined in Court. And the Jury having heard the Evidence, withdrew, and after some time returned, and desired they might Examine the Witnesses in private, which the Court did not think fit to allow of, it being Mr. Attorney's desire to have it otherwise; and the Grand Jury pretending a Privilege to have it so, The Court told them they had a Privilege to consult privately, but the King's Evidence might at any time be given either Publickly or Privately, as the Court should Order; but they should be allowed to have the Evidence given over again, and to Examine the Witnesses as thoroughly as they pleased: Whereupon they desired the Witnesses might be kept apart, and out of hearing of what was said in Court, and called one after another, to give their Evidence, which was done accordingly. The Substance of the whole Evidence was as follows,



First, Mr. John Wiat a Gentleman of a good Estate, was Sworn, and deposed, That being in company with Mr. Rouse, he the said Rouse, after other Discourse, did say, that he believed the Parliament at Oxford would not sit long; but that the frequent Prorogations and Dissolutions would little avail the King, for that he would be forced to comply with them; that all he had was given him by the Parliament, and they might take it away again when they pleased; and that he, the Deponent, saying thereupon, That he thought the King had as much right to his Crown, as he, the Deponent, had to any Estate descended to him from his Ancestors; Rouse replied, the King had forfeited his Crown by breaking his Coronation Oath, and had no more right to it, than he, or any body else. Then Mr. Corbin (who was employed together with Mr. Rouse by the Commissioners appointed for Disbanding the late Army) was Sworn, and declared, That being present at the Discourse between Mr. Rouse and Mr. Wiat, he heard Mr. Rouse say the words above mentioned, or to that effect.

Mr. Hayns swore, That the said Rouse had said to him at several times, That the People of England were better than the King, that they would deal with him well enough, though he Dissolved the Parliaments: That they would pull him down, and serve him as they did the Fool his Father; That the said Rouse came to him the Deponent several times, and would have had him swear that the King was privy to the Firing of London, and to the Death of Sir Edmundbury Godfrey, &c. and would have had him scatter Libels, to make the People Rise against his Majesty. And that he the Deponent had received several Sums of Money from the said Rouse.

Mr. Denis swore, That Rouse at several times told him, The King was a Papist, and intended to bring in Popery; That he therefore put off Parliaments, but that they would no longer bear with him, but would compell him to let the Parliament sit, untill they had accomplished their Ends. That He was appointed to collect Moneys for the Maintenance of the Witnesses; and that they need not fear any Prosecution, for that they would get such Juries, as would never find them Guilty. And that the Deponent received a Weekly Allowance from Rouse.

Mr. Smith, who was a Witness against the Lord Stafford, swore, That Rouse told him at several times that he gathered Moneys, and was to give freely to such as would swear any thing against the Queen or the Duke; and that the said Rouse shewed him, the Deponent, an Information, (which he would have had Mr. Hayns swear to) wherein it is said that the King knew of the Firing of London, and the Death of Sir Edmundbury Godfrey.

Mr. Turberville, likewise a Witness against the Lord Stafford, swore, That sometime after Fitz-Harris's Tryal, being with Mr. Rouse, and talking of the Times, and he, Mr. Turberville, saying, that they that had Estates to lose would have a care how they fell into a Rebellion, Rouse replied, The Rabble are all on our side, and they that have Estates among them, must do as they will have them.

Mr. Ivie, and Mr. John Macnamarra swore, They had received several Sums of Money from Mr. Rouse; and Mr. Ivie said, Mr. Rouse would have had him swear against the King, the Queen, and the Duke.

The Witnesses being asked concerning their Religion, all declared they were Protestants. And there were other Witnesses that were not examined.

Then the Grand-Jury withdrew, and after some Hours returned the Bill endorsed, *Ignoramus*. And the Court being Surprized thereat, and asking the Foreman, how they could upon so full an Evidence return an *Ignoramus*, being they were upon their Oaths, and whether they believed not the Witnesses, or were unsatisfied in Matter of Law; For if they doubted the Law in any thing, they might have had the Opinion of the Court. The Foreman answered, That that was their Verdict, and they had satisfied their own Consciences, and conceived they were not bound to shew any Reasons for it.

*By Authority,*

E D I N B U R G H,

Re-Printed by David Lindsay, Anno DOM. 1681.







# By the King, A PROCLAMATION.

JAMES R.



Whereas We have received Certain Information, That James Duke of Monmouth, Ford late Lord Gray Outlawed for high Treason, with divers other Traytors and Outlaws, are lately Landed in an hostile manner at Lyme, in Our County of Dorset, And have possessed themselves of Our said Town of Lyme. And have sent and dispersed some of their Trayterous Complices into the Neighbouring Countreys to Incite them to Joyn in open Rebellion against Us.

We do hereby, with the Advice of Our Privy Council, Declare and Publish the said James Duke of Monmouth, and all his Complices, Adherents, Abettors, and Advisers, Traitors and Rebels; And do Command and Require all Our Lieutenants, Deputy-Lieutenants, Sheriffs, Justices of the Peace, Mayors, Bayliffs, and all other Our Officers, Civil and Military, to use their utmost endeavours to Seize and Apprehend the said James Duke of Monmouth, Ford late Lord Gray, and all their said Confederates and Adherents; And all and every other Person and Persons that shall be Aiding or Abetting the aforesaid Traitors and Rebels; And the said Persons, and every of them to Secure until Our further Pleasure be known, as they will answer the contrary at their utmost Peril.

Given at Our Court at Whitehall this Thirteenth day of June 1685. And in the First Year of Our Reign.

## God Save the King.

L O N D O N,

Printed by the Assigns of John Bill Deceas'd: And by Henry Hills,  
and Thomas Newcomb, Printers to the Kings most  
Excellent Majesty. 1685.





England - Proclamation - James II

# By the King, A P R O C L A M A T I O N

Against Spreading of a Traiterous Declaration Published by *James Duke of Monmouth*.

JAMES R.



Whereas *James Duke of Monmouth* in order to Excite and Stir up Our Subjects to Joyn with him in a Rebellion against Us, hath lately by his Rebellious Emissaries Published and Dispersed a most Uile and Traiterous Paper against Us and Our Government, Entituled, The Declaration of *James Duke of Monmouth*, and the Noblemen, Gentlemen and others, now in Arms for Defence and Vindication of the Protestant Religion, and of the Laws, Rights and Priviledges of England, from the Invasion made upon them, and for Delivering the Kingdom from the Usurpation and Tyranny of Us, by the Name of *James Duke of York*; Which Paper Our Lords Spiritual and Temporal Assembled in Parliament, have justly Condemned to be Burnt by the hands of the Common Hangman, as containing the Highest of Treasons, Which the utmost Malice of Our most implacable Enemies could falsly Contrive against Us; We out of Our Princely Grace and Tenderness to Our Subjects, lest any of them through ignorance of the Danger they Will inevitably incur thereby, may be misled to Receive and Entertain the said Traiterous Paper or to Publish the same to others their fellow Subjects, have thought fit with the Advice of Our Privy Council, hereby to give Notice thereof to all Our Loving Subjects, And do hereby strictly Charge and Command all Our Lieutenants, Deputy-Lieutenants, Sheriffs, Justices of the Peace, Mayors, Bailiffs, Headboroughs, High-Constables, Petty-Constables, and all other Our Officers Military and Civil, and all and every Our Loving Subjects within this Our Realm of England, Dominion of Wales, and Town of Berwick upon Tweed, That they Apprehend and cause to be Apprehended all and every Person and Persons who shall Publish, Disperse, or Entertain without Discovery thereof to the next Justice of the Peace, the said Traiterous Paper, to the end they may be Proceeded against as Traitors to Us Our Crown and Dignity, as they will Answer the contrary at their Peril.

Given at Our Court at *Whitehall* the Fifteenth day of *June*, 1685. In the First Year of Our Reign.

## God save the King.

L O N D O N,

Printed by the Assigns of *John Bill* deceas'd: And by *Henry Hills*, and *Thomas Newcomb*,  
Printers to the Kings Most Excellent Majesty, 1685.



# To the King's Most Excellent Majesty, 8

*The Humble Address of the Atheists, or the Sect of the Epicureans.*

GREAT SIR,

**S**INCE Men of all Factions and Misperceptions of Religion have presented their Thanks for your Majesty's gracious Declaration of Liberty of Conscience, we think our selves obliged as Gentlemen to bring up the Reer, and become Addressers too. We are sure there is no Party of Men more improved and advanced by your Indulgence, both as to Principles and Profelytes of *England*. And our Cabals are as full as your Royal Chapel, for your unlimited Toleration has freed the Nation from the troublesome Bygottries of Religion, and has taught Men to conclude, That there is nothing Sacred or Divine but Trade and Empire, and nothing of such eternal Moment as secular Interest. Your Majesty's Universal Indulgence hath introduced such unanswerable Objections and happy Inferences towards all Religion, that many have given over the troublesome Enquiry after Truth, and set down that easie Inference, That all Religion is a Cheat. In particular, we can never sufficiently Congratulate and Admire that generous Passage in your Majesty's gracious Declaration, wherein you have Freed your People from the solemn Superstition of Oaths, and especially from those slavish Ceremonious ones of Supremacy and Allegiance; and are pleased to declare, That you expect no more from your People, than what they are obliged to by the Ancient Law of Nature; and so have bravely given them leave to preserve and defend themselves, according to the First Chapter of Nature's *Magna Charta*. Your Majesty was pleased to wish, That all your Subjects were of your own Religion, and perhaps every Division wishes you were of theirs. But, for our parts, we freely declare, That if ever we should be obliged to profess any Religion, we would prefer the Church of *Rome*, which does not much trouble the World with the Affairs of invisible Beings, and is very Civil and Indulgent to the Failings of humane Nature. That Church can ease us from the grave Fatigues of Religion, and, for our Moneys, allow us Proxies, both for Piety and Penances: We can easily swallow and digest a Wafer Deity, and will never cavil at the Mass in an unknown Tongue, when the Sacrifice it self is so unintelligible. We shall never scruple the Adoration of an Image, when the chiefest Religion is but Imagination: And we are willing to allow the Pope an absolute Power to dispense with all penal Laws, in this World and in another. But before we return to *Rome*, the greatest Origin of Atheism, we wish the Pope and all his Vassal Princes would free the World from the fear of Hell and Devils, the Inquisition and Dragoons, and that he would take of the Chimney-Money of *Purgatory*, and Custom and Excise of Pardons and Indulgences, which are so much inconsistent with the flourishing Trade and Grandeur of the Nation. As for the Engagements of Lives and Fortunes, the common Complement of Addressers, we confess we have a more peculiar Tenderness for those most sacred Concernments but yet we will hazard them in Defence of your Majesty, with as much Contancy and Resolution, as your Majesty will defend your Indulgence; that is, so far as the Adventure will serve our Designs and Interest.

*From the Devil-Tavern, the Fifth  
of November, 1688. Presented  
by Justice Baldock, and was gra-  
tiously received.*



## Some REFLECTIONS upon the Humble PETITION to the King's Most Excellent Majesty, of the Lords Spiritual and Temporal who Subscribed the same; Presented November 17. 1688.

**T**hat the *Peace-makers* are blessed, is a Truth our Saviour hath left recorded in the holy Scriptures, and those are truly to be honoured who can contribute any thing to so happy a Work: But that either this way of Petitioning, or the matter in it desired, is likely to produce so great a Blessing, is a Question worthy serious consideration.

I shall first therefore take notice of some of the dubious expressions in the Petition, and then lay down some few Reasons why I judge the Petition in itself unreasonable; and lastly endeavour to shew how impracticable the summoning of a Parliament is at this present.

The expression, *That a War is now breaking forth in the Bowels of the Kingdom*, shews that their Lordships either know, or foresee, that a Civil War is fomenting; and I pray God this Petition do not, more than any thing else, occasion it; or that the *Prince of Orange* intends to carry on the War through the Bowels of the Kingdom, whereas those that wish well to the King here it will be kept in and about the Parts where he landed.

*Secondly*, As to the distraction of the People under their present Grievances; it seems to many true Members of the Church of England, that it had been every whit as agreeable to your Lordships Character to have rather thank'd His Majesty for his late extraordinary and gracious Favours, than to have amus'd the Subjects at this time with the Apprehensions of Grievances, without any intimation what they were; for it is most manifest, that by such reprobating of Grievances the People were instigated to that Bloody Rebellion in 1641.

As to the expression, *That your Lordships think your selves bound in Conscience of the Duty you owe to God and our holy Religion, and to His Majesty and our Country, most humbly to offer to His Majesty, That in your Opinion the ONLY viable way to preserve His Majesty and his Kingdom, would be the calling of a Parliament Regular and Free in all its Circumstances*. I hope to make out, that the summoning a Parliament now, is so far from being the *Only* way to effect these things, that it will be one of the principal causes of much Misery to the Kingdom; and I am sure both *our Duty to God and our holy Religion*, as well as to *His Majesty and our Country*, doth plainly enjoin us to use one other effectual means to obviate the Miseries of a Civil or Invasive War; which is, the keeping inviolably our Allegiance to our Sovereign, and effectually joyning with him to resist all his Enemies, whether Foreign Aggressors, or Native Rebels: And it is much to be wonder'd at, that this Duty, so well known to your Lordships, should never be mention'd.

As to the *Regular and Free Parliament in all its Circumstances*, I shall now proceed to prove, that at this season all our wishes for such an one are impotent, and must be ineffectual.

*First*, It is a known Truth, and sadly experienced, That whenever the People are in a great ferment, and contrary Parties are bandying one against another, the giving liberty to the People to meet in great Bodies, is dangerous to the Government; and Your selves not long since were, when you oppos'd the vehement Addresses to King Charles II. for summoning a Parliament, when he judg'd it would strengthen the Faction against Him; and you very well know, when great heats were among

the Members, and unreasonable Votes were pass'd against the Lineal Succession, and other matters endangering the Government, the King was oblig'd to prorogue some Parliaments from time to time, that such separation might produce more sober Counsels: And then the great cry was, That for the Preservation of the King's Person, and our Religion, they were so earnest to have a Parliament meet.

*Secondly*, It is impossible there can be a Regular and Free Election, while the Electors are so violently divided; one part of them being so vehement Withers of the success of the *Prince of Orange*, that they slight all the Miseries that unavoidably will fall on the Country thereby, upon the bare hope that he will preserve Religion and Property. Now in such a time as this, when, if we will give credit to the *Prince's Declaration*, there are so many that have invited him; can it be safe for the King to grant a Commission even to the People, to assemble in such great Confluxes, as may afford them opportunity of Lifting themselves against him?

*Thirdly*, If we yield that Elections can be without outrageous Routs; yet when the Parliament is met, it is requisite by the very Constitution, that every part of that August Assembly, should be free in their Assent or Dissent to what is to be debated; and that Freedom is as fundamentally necessary in the Person of the King, as in the Members of either House; and that one of the proper and necessary Circumstances of that Convention ought to be, that all the Members shall be present. I shall therefore shew, that at this time none of these can be practicable.

*First*, as to the King: While such powerful Enemies are in the Country, and so many ready to catch any opportunity to join with them, how can the King be absent from his Army? the providing for, cherishing, animating and ordering of which, will sufficiently employ the most indefatigable of Princes. And none can think that any Prince can watch the motions of such an Enemy, and time his opportunities of Assaulting Them, or Detending Himself; and at the same time be embarras'd with a Parry in the Houses, that may as dangerously be levelling their Votes against him, as the Invaders are their Artillery.

However here can be no freedom to the King, how undaunted soever; because the impending Storm may so affright his Council, that they may advise to the yielding of some things that may be of ill consequence to the Government; for whatever lessens the King's just Prerogative, as this may do, in depriving him of exercising his Negative Voice, is at one time or other prejudicial to his Subjects.

*Secondly*, As to the Lords: There can be no free Convention of Them, since several of them have so far forgot their Allegiance, that they are actually in the *Prince of Orange's* Army, and many other Lords are attending the King, and their Charges; so that while these Armies are in being, they cannot meet in their House but by their Proxies, which I suppose none can expect will be allowed to the Peers that are in Rebellion, if we may be allowed to call that such which all our Laws do adjudge, &c.

The like may be said for the House of Commons: All the Gentlemen of Interest in their Country by their Allegiance are bound to serve the King in his Wars at his Command,



Command, and will be few enough to keep their respective Counties in Peace. And I am confident none will think such a Parliament, as this ought to be that is desir'd, should consist of such who have been little conversant in publick Affairs, or have small Interests in their Counties.

So, that upon the whole, I cannot see how any Free Parliament can Meet, unless it be such a Convention as the Saxons obtained of the Britains on Salisbury Plains; where the eminentest of both People were to meet unarmed, and there amicably adjust matters in difference; but it is well known, that the Saxons under their long Coats had their Weapons, wherewith they slew the Flower of the British Nobility, and thereby rendred their Conquest more caie.

It is true, such a Stratagem is not now like to take effect, but the King and those that with well to the Succession of the Monarchy, and the preservation of their Country, must needs fear, that there will be as dangerous contests within the Houses as may be in the open Fields; and thereby little can be expected from such a Parliament, which can redound to the publick good of the Kingdom.

Fourthly, Those Spiritual and Temporal Lords, that have Signed this Petition, either have not, or they have consulted the Prince of Orange, before they proposed this Advice.

If they have not consulted him, they ought to satisfy the King how they can warrant a Cessation of Arms on the Princes side, or how they can hinder him from advancing further to awe Debates in the Houses, or what assurance they can give, that he will acquiesce in the free Decision of the matters proposed, or that he will peaceably depart out of the Land, when things are settled, and will not pretend a stay here, till the vast Summs be payed him, that he hath expended on this occasion; or lastly, will not find new occasions of questioning the security of performance of any Agreement to be made.

If they have consulted the Prince, they ought to shew his Commission, Authorizing them to make Proposals, or shew the heads of those grievances he demands to be redressed; for some they urge in their Petition there are, which distract the people; but I suppose they are more careful of their Heads, than to own any such correspondence.

If these Noble Persons would have effectually saved Effusion of Blood, they should rather have used all their Interest to have kept the Prince of Orange in his own Country, tho' with his Army and Fleet in readiness, and have obtained his sending his demands, and have waited like Dutiful Subjects till the King had Convened his Parliament, and have tryed how Gracious the King would have been in redressing grievances and securing Religion and Property, and after the Kings refusal there might have been some colour for his Invasion; but none upon any pretence whatsoever to have Invited him to it.

Fifthly, Those who will not openly, and with a bare face justify the Prince of Oranges Pretensions, cannot think it consistent with the Honor of the King to stoop so low as to Summon a Parliament at the direction of an Invader, who can never be conceived to desire it with that eagerness, if he did not Judge it very much conducive to his Interest, for which very reason the King ought to be Jealous of such Councils.

And humbly conceive those Peers have not sufficiently considered how prejudicial this sort of Address may be to the Kings Affairs, and how much it will conduce to the further Alienating of the affections of the Subjects from the King, when they shall hear of his denial to comply at

present with this expedient, and never hear the reasons thereof; hence they have not divulged his Majesties Gracious Answer, together with their Petition, and I am sure, at this time the putting the King upon such a Dilemma, is the greatest disservice can be done him, and very little Inferior to joyning with his Enemies.

I might add many more Arguments to prove, that the King cannot in Honor yield to this Advice, without quitting that undeniable Prerogative the Laws give him, of making War or Concluding Peace, if those matters should be submitted to the Arbitriment of the two Houses; or owning that the Allegiance of his Subjects did not bind them to Assist him in the defence of his Crown and Dominions without the Votes of a Parliament. But I shall conclude with some few considerations I humbly offer to those Right Reverend, and Noble Lords, and all those who are of the same judgment with them, to reflect upon.

First then, I desire them to consider, whether it will not be more glorious, and agreeable to the Principles of our Religion, effectually to Assist our undoubted Lawful Sovereign, then to suffer him to be dethroned solely because he is a Roman Catholic; since the Papists themselves, tho' they neither take the Oath of Allegiance or Supremacy, yet do, and ever have declared, that if any Roman Catholic Prince, yea the Pope himself in Person, should invade any King of England, tho' a Protestant, yet that they are bound to defend such a King, against them, as much as if they were Turks.

Secondly, Whether since the True and Original Cause of this Invasion, and consequently of all the Flood-thed these Lords so earnestly desire to prevent, hath not been the denying to concur with the King in Establishing of Liberty of Conscience, even with such security to the Protestant Religion, and Church of England, as could be desired; and whether in all Human probability, that would not be more conducive to Establish the publick Tranquillity of the Kingdom, and it's increase in Wealth and People, and consequently the most efficacious means to reduce the Dutch to be just and tractable Allies and Neighbours, rather than any thing can be effected by this Invasion, or the Truckling to such avowed Enemies to our Country, our Religion, and our King.

Thirdly, Whether the Kings entire Trust in the Fidelity of his own Subjects for his defence, and not admitting of Foreign Aids that were unsought for proffered, do not oblige all that have any sense of Gratitude or Duty, to aid him to the very utmost against such Foreigners as so unnaturally and so unjustly invade him; and when it hath pleased God to give Success to the Kings just Arms, we are not to doubt, but the King, according to his Solemn promise in his late Royal Declaration will speedily call a Parliament, and in it redress all such grievances as his People can justly complain of, with a Full and Ample security to the Church of England and all his Protestant Subjects; which it will much more be our Interest to have in a truly Harmonious, and Free Parliamentary way at that time Established, than at this present in a Tumultuary and Precipitate haste so patched up, as will not be durable; and the more earnestly we desire to see this good work to be set upon, the more haste the Nobility and Gentry should make to Expel those who hindred the Convention of that Parliament, which was much more likely to have settled matters to the content of the King and his People, than this Invasion can ever hope to effect.

WITH ALLOWANCE.

LONDON, Printed, and are to be sold by *Randall Taylor*. 1688.

# THE DECLARATION

*Of the Lord Lieutenant, the High Sherriff, Deputy Lieutenants, Justices of Peace, Commission Officers of the Militia, and other Protestant Gentlemen in the County Palatine of Chester, City of Chester and County of the same, the 17 of December, 1688.*

**W**E being Heartily and Zealously concerned for the PROTESTANT RELIGION, the LAWS of the Land and the LIBERTIES and PROPERTIES of the Subject; cannot (without being wanting to our Duty) be Silent under those Calamities wherein late prevailing Popish Councils have miserably involved these Kingdoms: And do therefore Unanimously resolve to apply our selves to his Highness the PRINCE of ORANGE, who with so great Kindness to these Realms, so vast Expence, and such Hazard to his Person, hath undertaken by endeavouring to procure a Free Parliament to rescue us with as little Effusion as possible of Christian Blood from the Eminent Dangers of POPERY and SLAVERY. And we do hereby Declare, That we will with our utmost endeavours Assist his Highness in the Obtaining such a Parliament wherein our LAWS, LIBERTIES and PROPERTIES may be secured, the Church of *England* in particular, with due Liberty to Protestant Dissenters; And in general the PROTESTANT RELIGION and INTEREST may be Supported and Encouraged to the Glory of God, and the Happiness and Reputation of the Established Government in these Kingdoms. In the mean time We will endeavour to preserve as much as in us lies the Peace and security of this City and County, by taking care to Disarm all Papists, and to secure all Jesuites and Romish Priests within the same: And if there be any thing more to be performed by Us for promoting his Highnesses Generous Intentions for the Publick Good We shall be ready as Occasion requires to Contribute Our best Endeavours.

DERBY.





## An Advertisement.

**T**Hese are to give Notice to all Noblemen, Gentlemen, Cirizens and others, That We, the *STUDENTS* in the *ROYAL COLLEDGE* of *EDINBURGH*, (to shew Our Detestation and Abhorrence of the *Romish Religion* ; and Our Zeal and Fervency for the *PROTESTANT*) Do Resolve to Burn the Effigies of *ANTICHRIST* the *POPE* of *ROME*, at the Mercat-Cross of *Edinburgh*, the 25 of *December* Instant, precisely at Twelve a Clock in the Forenoon, (being the Festival of our *SAVIOURS* Nativity ) And since we hate Tumults, as we do Superstition, we do hereby (under the Pain of Death ) Discharge all Plunderers, Robbers, Thieves, Whores and Bawds, to come within 40 Paces of Our Company, and such as shall be found disobedient to these Our Commands, *Sibi Caveant.*

By Our Special Command, **ROBERT BROWN**, Secretary of State to all Our Theatrical and Extra-literal Diver-  
tisements.

*England - in relation to the document - III William III.*  
1290. 102.  
**I** A. B. do sincerely Promise and Swear, That I  
will be Faithful, and bear True Allegiance to His  
Majesty King WILLIAM.

**So help me God.**

**I** A. B. do Swear, That I do from my Heart  
Abhor, Detest, and Abjure, as Impious and He-  
retical, that Damnable Doctrine and Position,  
**That Princes Excommunicated or Deprived**  
**by the Pope, or any Authority of the See of**  
**Rome, may be Deposed or Murthered by their**  
**Subjects, or any other whatsoever.**

And I do Declare, That no Foreign Prince,  
Person, Prelate, State, or Potentate, hath, or ought  
to have any Jurisdiction, Power, Superiority, Pre-  
eminence, or Authority Ecclesiastical or Spiritual  
within this Realm.

**So help me God.**



A

CONTINUATION of the PROCEEDINGS  
OF THE  
CONVENTION  
OF THE  
Estates in Scotland.

Giving an Account of their being come to a Resolution  
of Settling the Crown of that Kingdom upon King  
*WILLIAM* and Queen *MARY* of *England*.

*Licensed and Entred according to Order.*

From *Tuesday April 9.* to *Thursday April 11.*

*Edinburgh, April 4.*

**T**HE Reasons for declaring the  
Throne Vacant, were again  
read, and argued one by one.  
They are in the Terms fol-  
lowing :

I. ' King *James* the Seventh being a  
' professed Papist, did assume the Royal  
' Power, and acted as King, without ever  
' taking the Oath required by Law,  
' whereby every King at his access to the  
' Government, is obliged to Swear to  
' maintain the Protestant Religion, and  
' to Rule the People according to the  
' Laudable Laws.

II. ' By the Advice of Evil and Wicked  
' Councillors, he did invade the funda-  
' mental Constitution of this Kingdom,  
' and altered it from a Legal Limited  
' Monarchy, to an Arbitrary, Despotick  
' Power; and by publick Proclamation,  
' asserted an absolute Power to Cass, An-  
' null and Disable all the Laws; and par-  
' ticularly arraigning the Laws establish-  
' ing the Protestant Religion; and did  
' Exert that Power for the Subversion  
' of the Protestant Religion, by erecting  
' publick Schools, and Societies of the  
' Jesuits; and not only allowing Mass to  
' be publickly said, but did invert Pro-  
' testant Chappels and Churches to pub-  
' lick Mass-Houses, contrair to express  
' Laws against saying and hearing of  
' Mass.

III. ' By Disarming Protestants, while  
' in the interim he employed Papists in  
' the places of the greatest Trust, both  
' Civil and Military, such as Chancellors,  
' Secretaries, Privy-Councillors, Lords of  
' Session, thrusting out Protestants to  
' make room for Papists; and by intrust-  
' ing the Forts and Magazines of the  
' Kingdom in their Hands.

IV. ' By allowing Popish Books to be  
' Printed and Dispersed by a gift to a Po-  
' pish Printer, designing him Printer to  
' His Majesty's Household and Chappel,  
' contrair to the Laws.

V. ' By taking the Children of Noble-  
' men and Gentlemen, sending and keep-  
' ing them abroad to be bred Papists,  
' making great Fonds and Donations to  
' Popish Schools and Colleges abroad; by  
' bestowing Pensions upon Priests, and  
' perverting Protestants from their Reli-  
' gion, by offers of Places and Pensions.

VI. ' By imposing Oaths contrair to  
' the Law.

VII. ' By giving Gifts and Grants for  
' exacting Money without consent of Par-  
' liament, or Convention of the Estates.

VIII. ' By Levying and keeping on  
' foot a standing Army in time of Peace,  
' without consent of Parliament.

IX. ' By employing Officers of the  
' Army as Judges through the King-  
' dom,

'dom, and imposing them where there  
'were Heretable Offices and Jurisdictions,  
'and by them many of the Liedges were  
'put to death summarly without Legal  
'Tryal, Jury or Record.

X. 'By using Inhumane Tortures,  
'and without any Evidence, in ordinary  
'Crimes.

XI. 'By imposing exorbitant Fines,  
'to the value of the Parties Estates; in  
'exacting extravagant Bail; and by dis-  
'posing of Fines and Forfaultures, be-  
'fore any Proceſs or Conviction.

XII. 'By causing pursue and forfeit  
'several persons, upon old and obsolete  
'Laws, upon frivolous and weak Pre-  
'tences, upon lame and defective Pro-  
'bation, as particularly the late Earl of  
'Argyle, to the Scandal and Reproach of  
'the Justice of the Nation.

XIII. 'By subverting the Right of the  
'Royal Burroughs, the third of the Estates  
'of Parliament; imposing not only the  
'Magistrates, but also the whole Town,  
'Council, and Clerks, contrair to their  
'Liberties and expresse Charters, with-  
'out the pretence either of Sentence,  
'Surrender, or Consent; and the Com-  
'missioners to Parliament being chosen by  
'these Magistrates and Councils, the  
'King might, in effect, as well nominate  
'that entire Estate of Parliament: And  
'many of the said Magistrates put in by  
'him were avowed Papists, and the Bur-  
'roughs forced to pay Money for Letters  
'imposing these illegal Magistrates and  
'Council upon them.

XIV. 'By sending Letters to the Chief  
'Courts of Justice, not only ordering  
'the Judges to stop and delist, *sine die*,  
'to determine Causes; but also ordering  
'and commanding them how to proceed  
'in Cases depending before them, con-  
'trair to the expresse Laws, and by chan-  
'ging the nature of the Judges Gifts,  
'*ad vitam aut culpam*, and giving them  
'Commissions *ad bene placitum*, to dispose  
'them to compliance with Arbitrary  
'Courses, and turning them out of their  
'Offices when they did not comply; and  
'particularly, those who in Parliament  
'opposed the Abrogating of the Laws  
'made for the Security of the Protestant  
'Religion.

XV. 'By granting personal Protection  
'ons of civil Debts, contrair to Law,  
'notwithstanding of the Representa-

'tion of the Privy-Council in the  
'contrair.

After this, the following Declaration  
which had been prepared by the Com-  
mittee, was read, and the Vote was ap-  
proved, as also the Declaration and Rea-  
sons.

*The Estates of the Kingdom of  
Scotland, find and declare, That  
King James the Seventh, being a  
professed Papist, did assume the Roy-  
al Power, and acted as King, with-  
out ever taking the Oath required  
by Law, and hath by the Advice of  
Wicked and Evil Councillors, in-  
vaded the Fundamental Constitutions  
of this Kingdom, and altered it  
from a Legal Limited Monarchy, to  
an Absolute and Despotick Power.  
And hath exercised the same to the  
Subversion of the Protestant Religi-  
on, and the Violation of the Laws  
and Liberties of the Nation, inver-  
ting all the ends of Government,  
whereby he hath forfeited the Right  
of the Crown, and the Throne is be-  
come Vacant.*

The whole House approved both,  
except Twelve, of which Number, Seven  
were Bishops, all the Bishops that were  
present.

This being done, the following Vote  
passed, That an Act be brought in  
from the Committee, for Settling the  
Crown upon WILLIAM and MART,  
King and Queen of England, and to con-  
sider the Terms of the Destination of  
the Heirs of the Crown. And likewise,  
to prepare an Instrument of Government  
to be offered with the Crown, for secu-  
ring the People from the Grievances  
which do affect them.

When all Business was over, one of  
the Bishops offered to say Prayers, as the  
Custom is; upon which it was moved,  
That King James being no more our  
King, he must pray for him at his peril.  
The Bishop discreetly said only *The Lords  
Prayer*. So the House adjourned till  
next Morning.

*This happy Coronation Day calls this  
extraordinary Publication, Tuesdays and  
Saturdays being the days this Paper will be  
continued on.*

London: Printed for Ric. Chiswell at the Rose and Crown in St. Paul's  
Church-Yard. 1689.





His Grace the Duke of *Schomberge's* Character, according to the Ignorant Notions that the *Irish* Papists in Ireland, have form'd of Him, together with some Old Prophecies, foretelling the Conquest of that Kingdom, by the Protestant Army, under his Grace's Command.

LICENSED, and Enter'd according to Order.

**T**He Antients never Design'd their Heroes for any great Work, but they endow'd him with Parts and Qualities proportionable to the attaining the end. Thus *Hercules* had strength to support the Pillars, and Courage to subdue the *Numidean Lyon*. *Jupiter* slew a Serpent in the Cradle, and his Son *Mars* ( Destin'd for no less than the God of War ) lay Twenty Two Months in his Father's Thigh, before he was born, when less than Nine Months, sometimes, would serve for the Production of Inferiour Gods and Goddeses.

Nor has this been the Theory of Former Times, but the Practice of all Ages ever since; as the Knights in our Legends, who must be alwayes supposed to overcome the Gyant: This is most Fatal to the Credulous *Irish*, who are apter to believe Tradition than Truth, and the meanest Priest, before the boasted Founder of their Church.

What Monsters have the *Irish*-Historians made their *Heber*, and their *Heremon*, the first Conquerors of Ireland; no less Prodigious than the Tales of *Bryan Boro*, and *Fin Mac. Hengle*; of whom a Learned Bard thus Elegantly Sings.

*Who never did his \* Garran ride,  
But in the Compass of his stride.  
Whole \* Rocks and Mountains he invirons,  
And Valleys were his Stirrup-Irons.*

\* Horfe.

\* A great Rock in the County of *Galloway*, near *Loughbreach*, in the form of a Pillion, called *Fin Mac. Hengle's Saddle*.

The Character of this great General, his Grace the Duke of *Schomberg*, ( according to the Notions they have formed of him in Ireland ) yet no less Prodigious, and goes down as currant, as the Legend of *Ossullevan*. Whether begot out of Terrour, or industriously given out by the Priests, to perswade the People to a voluntary Submission, I know not; but it is as certainly believed, as it is reported, that he is in Stature Sixteen Foot High, with all parts proportionable. The form of a Shooë was made, and presented to the Army, that they might guess at the rest, *ex pede Herculis*. He is like *Achilles*, invulnerable; can stride over his Army like a *Rhodian Colossus*, and guard them from the Enemies shot. His Mustaches are like two Barbers-poles. His Beard White, and broad as the main Sail of a First-Rate-Ship; if it Rains, he can command his Army into close Order, and cover them with his Beard, as *Garragantua* did with his Tongue.

To

To make him Immortal, as he is Invulnerable, he is Reported to be three hundred years old, the age of *Nestor*; has Pistols will do Execution six miles off; which keeps the Enemy at such a distance, that they dare not come within sixteen miles of his Camp: He can, like the *Lydian* Monster, stretch forth his Head, and snatch away the Horse and Man out of the third Rank. When the Soldiers bring in a Booty of Cattle, they Report, he will take a Brace of Bullocks, toss them like two Oranges upon the palm of his Hands, and tell you within half a stone the weight of either. There are other things as Foolish as Fabulous, which they give out, and believe of this famous Warriour, to whom their fears have already assign'd the Conquest of that Kingdom.

To confirm this, There are Prophecies disperst, which were writ in the Original Language, a Thousand years ago.

The first was found in the Foundation of an old Chappel, in digging up the Trenches before *Droghedah*: it was carefully laid up in an old Iron Pot; the *Rolls* of Parchment, in which was with the Prophecies, inclosed in an old Steel Snuff Box. Thus translated.

<p>* Kirk.    Talbot, Tyrconel. * Schomberg,    K. Ja.</p>	<p><i>In Eighty Nine, when Teague's run down, A * Church is fixt in Dublin-Town. The    Dog shall fly before the * Boar, The    Lyon hide himself for fear.</i></p>
--	---

As if this were enough to confirm their Jealousie, the Priest he lends his helping hand, and gives them a Cast of his Office; digging in an old Vault in *St. Mary's Abby* in *Oxmon-Town, Dublin*, to bury a great Officer that was killed in the Camp; In an Earthen Pot ( as carefully laid up as the other ) they found or made this Prophecie. In *English* thus,

<p>* Shamrogshire.  Schomberg-shire.</p>	<p><i>Not Schomberg, Shamrog more in fame, Shall long to * Ireland give a name; In Sixteen-Hundred-Eighty-Nine, Shamrog to Schomberg shall Resigne; And from his Conquests, in that year, Shall thence be Christned Schomberg-Shire.</i></p>
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Thus they make him their *Irish-Scanderbeg*, and not only frighten their Children, but their Armies with his name.

May their fears prove effectual; Their Prophecies come to pass, and speedy Conquest crown this Invincible Hero with Success.

*Edinburgh, Re-printed in the Year, 1689.*



*A True and Faithful Account of the persons  
suspected Persons, and amongst them some known Papists,  
who were Caballing against the Government in a Tavern,  
with the manner of their Apprehension.*

Licens'd Septemb. 6. 1689.

**T**He last Week some Designing Persons, as mentioned in the *Gazette*, took the boldness to Seize both the *Scots* and *Irish* Mails, carrying away the King's Pacquets from each; which as it is a matter of that high Concern, so it Demonstrably bespeaks, that the *Romish* Party, who have a natural Propensity to practise Mischief against the Government, design to have some extraordinary Project put in Execution: But, as praised be God, none of their Contrivances have hitherto met with Success, so the merit of the Cause, as well as the indefatigable care of the Government is such, as to defeat the Designs of the Disaffected and *Grumbletonian* Incendiaries, a more notable Instance has not been extant.

The Mails aforesaid being seized, and thereby the King's Advice discover'd, extraordinary Diligence was used, to find out the Authors of this mischievous Proceeding; and considering that not the Gaols, but rather some Taverns ought to be inspected, a double Diligence and Scrutiny was made into several places, where, under the Notion of meeting and drinking purely with a Friend there, Complotting and Caballing was the Intent, and as the Sequel demonstrates, the Cause. So the Government having got Information, that a more than ordinary Number of Gentlement, &c. held a Rendezvous at one *Brooks's*, who keeps the *New Cock* and *Bottle* in the *Strand* near *Charing-crofs*. Two Messengers were appointed on *Thursday* Evening to beat up their Quarters, who, considering the Number of the Enemy they were like to Encounter with, prudently repaired to the Captain of the Guard at *Whitehall*, and he forthwith sent a Lieutenant with one File of Granadiers, and four of Musquets, to assist them in the Action; Command being first given to load with Ball, and not to speak a word one to another in their passage; which was performed with that Precaution and Diligence, that they arrived at the aforesaid Tavern without the least Mistrust or Preknowledge, who boldly entering the House, without staying for the Drawer to shew them a Room, they found out one themselves, but the Door being shut, took the liberty to force an Entrance, where meeting with a great Number of *Papists*, they, like the true *Irish*, were so bashful at their sight, that some hid themselves in the Chimney, behind the Curtains, &c. and would have disposed of their Papers, but were forced to surrender themselves with their Weapons, and what they had about them that might be mischievous. The like diligence was used in other parts of the House, where was scarce a place but they found some, and others escaping on the Tops of the Houses; but being brought all into a Room, and commanded to sit down, there was found to be Thirty seven of them, besides a Woman, there being little Mischief done where one of their Sex is not concerned.

The Lieutenant, and Messengers took the Names of them *Seriatim*, and found divers *Papists*, several Officers and other Soldiers, some whereof had formerly rid in the Lord *Dover's* Troop of Guards, under the Late King *James*: And some of the *Grumbletonian* Gang, who finding the Late King's Interest in all the Three Kingdoms to be near Expiring, would like a Candle give the greater Blast at going out. And there was such Cause found against the Master of the House, tho he pleaded he never saw them before, as to keep him a Prisoner with them. For most part of the Night they continued in the Tavern, but afterwards 21 of them were sent to a Messengers in *St. Martin's-lane*, and 16 to anothers, where they are kept Prisoners, while their Papers can be perused, and they Examined.

*Edinburgh, Re-printed in the Year, 1689.*

102<sup>16</sup>  
REMARKABLE PREDICTIONS of the Great PROPHET

# Michael Nostradamus

Concerning the Ruin and Downfall of the FRENCH, and the POPE of ROME, b  
H I G H N E S S the

## Prince of Orange,

Collected from the said Authors Originals Works, large Folio, by J. Partridg, Astronomer  
the PRINCE.

**T**HE Reputation that the Works of this Great Astronomer, Michael Nostradamus since it's first e  
out, which was in the Year, 1555. And the curiosity, that from time to time the Learned have had  
the Mysteries contained in it Unfolded, and most of his Prophecies came to pass; is a sufficient Warrant for m  
sent Undertaking.

I.

**S**itting by Night in my secret Study  
Alone, resting upon my brazen stool,  
A light Flame breaking out of that solitude,  
Makes me utter what is not in vain to believe.

II.

He that the Principality,  
Shall keep by great Cruelty;  
At last shall see a great army,  
By a fire, blow most dangerous;  
He should do better by Agreement,  
Otherways he shall drink the Juice of Orange.

III.

Sad Counsels, Unfaithful, Malicious,  
Ill Advice the Law shall be betray'd,  
The people shall be moved, wild, and quarrellous  
Both in Country and City, the Peace shall be hated

IV.

O great Rome! thy ruin drawest near;  
Not of thy walls, of thy Blood, and Substantice;  
The Sharp by Letters shall make so horrid a notch  
Soft Iron thrust in all to the haft.

V.

A Bragamus with his crooked Tongue,  
Shall Come and break the Gods Sanctuary;  
He shall open the Gates to those call'd Hereticks,  
By raising the Militant Church.

VI.

In great regret shall French Nation be;  
Their vain and light heart shall believe rashly;  
They shall have neither Bread, Salt, Wine, nor  
Beer.

Moreover they shall be Prisoners, and shall suffer  
Hunger, Cold and Need.

VII.

A Covetous Prelate, deceived by Ambition  
Shall do nothing but cover too much;  
His Messengers and he shall be trap,  
When there shall a Prince cleave the VVoo  
contrary way.

VIII.

Of Traian Blood shall be born a German heart  
VVho shall attain to so high a power,  
That he shall drive away the strange Arabian;  
Restoring the Church to her former splendour

IX.

A Lady in fury by rage of an Adultery,  
Shall come to her Prince, and conjure him r  
nothing:  
But shortly shall the shameful thing be know  
So that Seventeen shall be put to death.

X.

The endeavours of the North shall be gre.  
Upon the Ocean, the Gate shall be open:  
The Kingdom in the Island shall be re establish  
London shall quake for fear of Sails discovere

XI.

Before it be long, all shall be set in order.  
VVe look for a sinister Age:  
The state of the Vizards, and of the alone, sha  
changed.

They shall find few that will keep their r:

XII.

VVithin a little while sacrifices shall come a  
Opposers shall be put to Martyrdom.  
There shall be no more Monks, Abbots, nor  
vices:

Honey shall be much dearer than VVax.

The Inscription of the Epitaph of this great Prophet, in imitation of Titus Livius, and affix  
his Tomb by the Kings Command.

**H**ere lyes the Bones of the most Famous Nostradamus, one who among Men hath deserved by the opini  
all, to set down in Writing with a Quill almost Divine, the future Events of all the Universe, caused b  
Celestial influences; he lived 62 Years, 6 Moneths 10 days, he died at Salon, in the year, 1566.  
O Posterity do not grudge his Rest.

Printed in the Year, 1689.



# Animadversions upon the modern Explication of 11 H. 7.

## Cap. 1. Or a KING *de Facto*. -:

**T**Hough our Gentlemen of the *Revolution* seem well satisfied with their new Allegiance, yet the Reasons (if not the Degrees) of their Compliance are very different. 'Tis true, there are some few furnished with that variety of Demonstration as to be able to make out the Justice of the late Proceedings from no less than Four infallible Topicks, *Abdication, Forfeiture, &c.* but Men of this Compass of Thought are not commonly met with. The more moderate Undertakers are content to maintain a single Post, and think themselves well if the Cause will afford them one good Reason for what they do. Now in this their Vindication they are no less divided from themselves than from their Neighbours of the old Government. Some Men affirm, That the Crown was lapsed to the People, and that their Representatives have given it to the Prince of *Orange*, by way of Gratitude. Others thinking their Consciences not safe in this Bottom, tell us, That they are either Conquered or Undone; and seem Uneasy, because they don't argue in Chains. In earnest, our Circumstances must needs be hard, when our best Friends, who were so nicely Apprehensive of the least Incroachment, desert us at this surprising Rate. Who would have thought that these *Keepers of the Liberties of England*, who declaim so heartily against *Arbitrary Power*, and gave God solemn Thanks for their Deliverance, should reverse their Devotions this soon, plead against *Magna Charta*, and set all their Wits on work to make us great Slaves as those in *Turkey*? For that this glorious Condition is the Consequence of Conquest, is a Truth so obvious to collect, that a very little reasoning will make it undeniable. And as if Disputing and Printing against the freedom of their Country were not enough; to make all sure, they are pleased to ratify their Slavery with an Oath. That they do no less is apparent; for those that Swear to the new Establishment, upon the Principle of Conquest, Swear that the Laws of the *Old Constitution* are no longer in force. And that the present Possessors may turn them out of their Freeholds, and sell them to the *West Indies* without any Legal Justice. For when a People are Conquered their Lives and Fortunes lie at the Mercy of the Conquerour. This Title makes the Sovereignty absolute, and his Will a Law. But I shall take leave of these Submissive Gentlemen, and proceed to consider the Arguments for a King *de Facto*.

Now it is asserted by some of the Long Robe; That Possession of the Throne abstracted from any other Title is sufficient to challenge a full Obedience from the Subject, and that the right of a Lawful Prince expires upon his Dispossession: This Opinion is founded upon Sir *Ed. Coke's* Authority, who in his *Institutes* Part 3. Ch. High Treason, maintains, that the Word *Rex*, mentioned 25 Ed. 3. is to be understood of a King in Possession (though unjustly) of the Crown and Kingdom. The Grounds of this Conclusion are taken from 11 H. 7. c. 1. Now supposing this Act did resolve all Right into Force, and was as Extraordinary as some People would make it, yet it could secure no more than the Dominion of England to the present Possessors. For First, It cannot reach *Scotland* because it is an independent Kingdom, and it has lately declar'd in Parliament (when Duke *Lauderdale* was High Commissioner) that the Prosperity of that Nation has been chiefly owing, next under God, to the absolute Power, and uninterrupted Succession of their Kings. So that it is plain, a King *de Facto* has nothing to do there; neither has he any better Colour of pretence to the Government of *Ireland*. First, For the reason above mentioned, viz. because *Ireland* is a separate and distinct Dominion from England; as Sir *Ed. Coke* undeniably proves, *Calvin's Case*, p. 22, 23. Secondly, If it be Objected, That the Irish obliged themselves by *Poyning's Act* to be governed by the Laws of England. To this I Answer; that the Irish bound themselves only to receive those Laws which were then made, not such as should be made, for the future; and therefore that Kingdom is unconcerned with 11 H. 7. in regard it was Enacted a Year after the Statute of *Poyning's*. To return therefore to England, I observe First, That Sir *Ed. Coke*, in his Notion of the Prerogatives of a King *de Facto*, contradicts himself: For, in *Calvin's Case*, he tells us, That *Allegiance and Faith are due to a King by the Law of Nature*. He must mean a Rightful King; for the Law of Nature doth not encourage Injustice and Usurpation. Secondly, He affirms, That the Law of Nature is part of the Law of England, and cites *Bradion, Forfeiture, &c.* for this Point. And Thirdly, That the Law of Nature is immutable, *Calvin's Case*, p. 12. From hence I infer, That if Allegiance is due to a Rightful King, by the Law of Nature; if this Law is incorporated into our English Constitution, and of an immutable Obligation, then it necessary follows, That as long as we have a King *de Jure*, we must be *de Jure* his Subjects: So that by Sir *Ed. Coke's* Argument, It must be unlawful to assign over our Obedience to a Prince *de Facto*, who hath nothing but meer Power to prove his Authority. Farther, He tells us that *Rex de Facto & non de Jure is Sergeantus Regis, within the purview of one Statute*, sc. 25 Ed. 3. which he pretends to prove from 11 H. 7. c. 1. which being the First Authority, he cites in confirmation of his Opinion, he owns by Consequence, that before the making this

Statute a King *de Facto* was not within the Purview of 25 Ed. 3. and therefore upon his own Grounds the King for the time being mentioned 11 H. 7. c. 1. must be a King *de Jure*, at least one that was presumed such; because at that time the Constitution knew no other: For that Possession was not a sufficient Title before 11 H. 7. appears.

First, From 1 Ed. 4. (*Bagge's Case*, 9 Ed. 4.) where it said, That *H. 6.* was an Usurper and rightfully removed from the Government.

Secondly, In the First Year of *H. 7. Rich. 3.* was attainted of Treason in Parliament under the Name of Duke of *Glocester* (Lord *Bacon* vid. *H. 7.* p. 1004.) from whence its plain, That as there was no Statute, so neither was there any Common Law to support the Title of a King *de Facto*; for Treason is an Attempt against the King's Person, his Crown and Dignity, but no Man can commit Treason against himself: Therefore if *Rich. 3.* had been a King in the Sense of the Law, we may be sure he would not have had such an infamous Confiscation upon him after his Death; *Bassham*, and his High Court of Justice, were the first that were so hardy as to pronounce a King of England guilty of Treason.

Secondly, If this Notion of a King *de Facto* had been altered in the 11 H. 7. The Principal Assistant of *Rich. 3.* would not have been attainted (Lord *Bacon* *ibid.*) for *Richard* being actually in the Seat of the Government, he was, according to our modern way of arguing Rightful King; and consequently the People ought to own him as such, and defend him against all Opposers: And if so, certainly they ought not to be condemned as Traitors for doing their Duty, as we find many of those were who fought for King *Richard*.

Thirdly, At the end of this Parliament *Hen. 7.* granted a General Pardon to the Common People, who had appeared against him in behalf of *Rich. 3.* Now Pardon supposes a Fault, and the Breach of a Law; which they could not have been charged with, if the Plea of a King *de Facto* had been warranted by the Constitution. Farther, this 11 H. 7. though never so loosely Interpreted, can do no Service to the present Settlement; because its virtually repealed by 1 Ed. 4. by which we are obliged to Swear to be true to the King, his Heirs and Lawful Successors, i. e. those who have a Right to the Crown by Proximity of Blood.

From whence I argue, First, That if we are Sworn by Act of Parliament to pay Allegiance to the Heirs of a King *de Jure*, who never were in Possession, then a *Fortiori* to a King *de Facto*, who besides the Legality of his Title, has been actually recognized a Sovereign, and enjoyed an uncontested Administration of the Regal Power.

Secondly, If our Laws oblige us to Swear subjection to the Heirs, &c. of a Rightful Prince, then by undeniable Consequence we are bound not to translate our Allegiance to those who are unjustly set up by the People. For without all Question the Words *Heirs* and *Lawful Successors* were made use of on purpose to secure the Hereditary Rights of the Monarchy, and to prevent all Usurpations upon the direct Line. And since by virtue of the Statute which framed the Oath of Supremacy, we are not to acknowledge any pretended Governors to the Prejudice or Dishonour of the Heirs of the King *de Jure*, then most certainly we ought not to do this in Opposition to the King *de Jure* himself. So that now we have no Pretence to make Right the consequence of Possession in the Crown, any more than in other private Cases.

But supposing this Statute of *H. 7.* was in full force, it cannot be applied to the present Case. First, Because the Title to the Crown was then somewhat doubtful and intangled, at least in the opinion of the People: For notwithstanding the Right lay in the House of *Lanc*, yet that of *Lancaster* had possessed the Throne for Three Decents successively, and pretended that *Edmund Crouchback*, under whom they claimed, was elder Brother to *Ed. 1.* The Case therefore being thus disputable, and perplex with respect to the Multitude; this Act (as my Lord *Bacon* observes) was made to indemnify the Subject, who out of a principle of Integrity had serv'd the Crown; it being thought unreasonable that the common People should suffer for their Loyalty.

They had not an Opportunity of examining Pedigres and searching Records, and therefore it would have been hard, if they had been obliged to forfeit their Lives and their Estates, only for their being so unfortunate as to pay a well meant Allegiance to a wrong Person: And since at that time they were not so well qualified to find out the Right of their Prince, it was thought just that for them to follow the Solemnities of Pomp and Power, and to be exempt from Punishment, provided they adhered to him who was in present Possession: But to apply this Statute to a Case where the Title is clear and uncontested, is a very illogical and dangerous way of Arguing; and has a little Warrant from the reason of the Act, as from Equity it felt. It appears sufficiently from the History of those Times, that this Act was only intended for the security of *H. 7.* who had a very lame Title, and therefore being made upon a particular and singular occasion

ought not to be extended farther to the prejudice of Justice, and Common Law, nor be interpreted in such an extravagant sense, as encourages Treason and Ambition to scramble for the Crown as often as they have any prospect of Succeeding in their Wickedness. But

Secondly, To put the matter out of all doubt, I shall prove from the very Words of the Act, that it was no more than a Temporary Law, and expired with the Life of the Prince who made it. The Statute begins thus, *The King our Sovereign Lord calling to remembrance the Duty of Allegiance of his Subjects of this Realm.* Afterwards the Enacting part follows, *sc. Those who attend upon the King for the time being, and do him true and lawful Service of Allegiance, &c. shall be secur'd from all manner of Forfeitures and Molestations relating to their Persons or Estates, provided always that no Person or Persons, shall take any benefit or advantage by this Act, which shall hereafter decline from his or their said Allegiance.* Now we know a Proviso is an Exception or Restriction upon the Latitude and Comprehensiveness of the Law, and that all Statutes are perfectly Null so far as the Proviso reaches. Having premised this, I shall endeavour to prove that this Act was designed only for the security of that Reign in which it was made, and cannot be stretch'd any farther. To make this appear, Let us suppose a Competition between a Prince *de Jure*, and *H. 7. i.e.* an other *de Facto*, and that the Subject engages for the latter. In this Case if the King *de Facto* prevails, there is no need of the assistance of this Statute; for we cannot imagine any Prince could be so Impolitic as to punish those who have ventur'd their *All* to maintain him in his Government. This besides the ingratitude of the Action proclaims the Unjustice of his Cause, and is the way to ruin his Interest. If it be Objected, That if it had not been for the Indemnity of this Statute, he would have been obliged to have punished them for opposing their Lawful Prince. To this I Answer, First, Do Kings *de Facto* always perform that which the Laws require? If so, they would never have been Kings *de Facto*; since they could not make themselves Masters of the Sovereign Power, without dispossessing those who are supposed the right Owners of it. Secondly, The Possessor would not so much as seem obliged to punish his Adherents upon a competition, except he own'd himself to be no more than a King *de Facto*, that is, unless he acknowledg'd the Acquisitions of his Victory Unjust, and himself an Usurper; but we have neither Example nor Reason, to expect such singular Concessions as these; For no Usurper will own himself in the Wrong so long as he intends to enjoy the Advantages of his Injustice: Upon supposition therefore that the Victory had fallen on the side of the King *de Facto*, the Act would be wholly superfluous.

But Secondly, If the King *de Jure* had prevailed, the matter is not mended; For now, though those that stood by the King *de Facto* ill have great occasion for an Indemnity, yet this Act will be as helpful to them now, as it was needful before: For either they must submit to the King *de Jure* or not; if they do not submit, 'tis easy to imagine the consequences, how a Victorious and Irresistible Prince will treat the Obstinate and Rebellious Opposers of his Just Title; if they do submit, as of necessity they must, then they can claim no manner of Privilege and Indemnity from this Act, for they cannot come into the side *de Jure* without deserting that *de Facto*, *i.e.* without declining their Allegiance to him, who was King when this Statute was made. By declining which Allegiance, the Proviso expressly excludes them from all manner of Benefit or Advantage by this Act. In this condition the Law would have left the *de Facto* Party. If the Sovereignty had been disputed between *H. 7.* and the House of *York*, and the Prince *de Jure*, or House of *York* had been Successful: From whence it's undeniably plain, that neither the Design, nor Words of this Statute can be drawn to such a monstrous Construction, as to Enact bare Possession a good Title, and make Might and Right the same thing. The only design of this Parliament was to continue the Crown to *H. 7.* during his Life; which both by the Body and Proviso of the Act, was as effectually done as in them lay. Now the Reasons that prevailed with the Two Houses to consent to a Temporary alteration of the Constitution with respect to the Crown, were probably these.

First, Because *H. 7.* did not only disavow his Reigning in his Wives Right, who was Queen *de Jure*, for the Act of Parliament by which he was recognized King of England, was Interpretable in this Sense (Lord Bacon, *ibid.* p. 1003.) and with this Construction there was no injury done to the Hereditary Right of the Crown.

Secondly, Elizabeth, the Queen *de Jure*, by her subsequent Marriage and acquiescence, seem'd contented with this Settlement. So that her forbearing to claim, or in the least to insist upon her Right, was a tacit resignation of it to King Henry, which seem'd to make him not only *de Facto*, but during her Life *de Jure* too.

Thirdly, When this Parliament was called, *Perkin Warbeck* had lately made a Descent upon *Kent*, and threaten'd the Kingdom with a more formidable Invasion (Lord Bacon, p. 1075, 1076.) Now though the Two Houses might see through the Imposture; yet it's plain many of the People did not. Nay some Persons of great

Quality, who had better Opportunities for Enquiry, believed *Perkin* to be the true *Plantagenet*, Son to *Ed. 4.* The Parliament therefore, who knew him to be no more than a Counterfeit Prince, must conclude that the best way to secure the Succession of the Crown, was to support the Government of *H. 7.* which (considering the present Scruples and Uncertainties of Right) could not be more effectually done, than by Indemnifying all those who should afterwards appear for him.

Fourthly, We are to consider that at this juncture *H. 7.* had several Children by his Queen, *viz. Arthur, Henry, &c.* So that now the contending Families of *York* and *Lancaster*, being thus happily United, there was no reason to fear, That a Security, though an unusual one, to the present Possessor, could be prejudicial to the right Line; especially since the force of that Act was confin'd to the Reign of that Prince, as has been already prov'd.

But to bring the Dispute nearer Home, and to make the Case more plain, if possible. Let us suppose 11 *H. 7.* still in Force; and upon this supposition I argue, That this Act must necessarily give the same Advantages to the Lawful Successors of *H. 7.* which it gave to himself: For if Allegiance is due to a King *de Facto*, then certainly it is equally due to him, who is King both *de Facto* and *de Jure*. Therefore those who decline from their Allegiance to such a Rightful Possessor (as they certainly do who depose him or swear Allegiance to another) are expressly barr'd from receiving any Benefit or Advantage by this Act. So that now they must lye under the lash of those antecedent Laws, which punish all Disloyal practices against a Rightful Prince, whether in or out of Possession; and if they are punishable by a King *de Jure*, than undoubtedly they are his Subjects, and consequently not at Liberty to translate their Allegiance to another.

If it is Objected, That the Penalty of this Proviso affects the Subject no longer than the King is in Possession. To this (besides what has been said already) I Answer, That this Construction makes the sense of the Act Insignificant and Ridiculous. For then the meaning of the Law runs thus, *viz.* Those who adhere to the King in Possession shall be Indemnified, but those who fight against him shall have none of this Favour, that is, they shall be punished. Be punished by whom? Why by the King they Opposed, if he happens to sit sure and gets the better of them; otherwise it seems they are safe enough. Now this is profound Discourse, and very suitable to the Wisdom of a Parliament, to tell us, That Rebels when they are Routed and Subdued, may be Lawfully punished. Had we not Statutes, Common Law, and Common Sense enough, to acquaint us with this before? What need this admirable Discovery have been thus carefully drawn up into a Proviso, as if there had been something in the body of the Act, which made it Unlawful for a Conquering Prince to chastise Rebellion? If it be farther replied, that this Proviso was intended for a Recaption. For though it does not tie the Subjects Allegiance to an elected Prince, yet upon the recovery of his Crown, it gives him Authority to punish those who dethroned him; and with this Interpretation the Law appears intelligible.

In Answer to this, I desire to know which way a Prince dispos'd can recover his Right, according to the modern Construction of this Act? For if the whole Kingdom be bound to assist the King *de Facto* against the King *de Jure*, how is it possible for the latter to re-enter upon his Dominions? And since by the supposition, his Right to punish doth not commence till he has Power to execute; this Proviso will have little Terror in it, and prove a very slender Preservative against Treason. And besides, if it ever happens to come into play, 'twill be perfectly useless; for this Expedient cannot take place unless the King *de Jure* makes his way back to the Throne by Conquest, and Foreign Force. And if he returns with this Advantage, there are old Laws enough to punish Traytors, (25 *Ed. 3.* &c.) which we may imagine he would venture to make use of, whether this Clause had given him such a Liberty or not.

In short, This Act, as its now the Fashion to understand it, is such a monstrous and unaccountable piece of Legislation, as I believe the most Barbarous and Unpolish'd Nation was never guilty of. For it leaves the Kingdom Hereditary, and yet obliges the Subject to obey the Possessor though never so obscure and remote from the Royal Line. It resolves all Title unto Force and Success, and puts no difference between a good Cause and a bad one. It sets the best Princes aside only for being Unfortunate; encourages the Ambition of enterprizing, and unreasonable Men; and gives the Rights of Sovereignty to those who have done the greatest Wrong. It overthrows the most Sacred and Established Maxims of Justice; reveals, in effect, alm<sup>t</sup> half the Commandments; and makes the Devil, if he should prevail, the Lord's Anointed. Besides, it's not only Unnatural and Unrighteous in the Body, but Useless and Impertinent in the Proviso. In earnest, I am afraid, those Lawyers who debauch Mens understandings with such singular Absurdities as these, will have a great deal to answer for. God grant they may consider before it's too late.



# ACT and Order of Council; for Sequestrating the Rents of such as are in Rebellion against Their Majesties.

At Edinburgh, the 3d day of January, 1690.

**H E** Lords of His Majesties Privy Council Considering, That by the Laws and Acts of Parliament of this Kingdom, and particularly by the *a. Act 12. Parl. K: Ja 2* It is expressly Provided and Declared, That where any person or persons are suspected or scandelled of Treason, that they be taken and remain in Firmance, and their Goods under sure Borrows, untill they suffer an Assize, and be Tryed, whether they be guilty or not; And that the persons aternamed, *viz* John Earl of Melfort, Sir Archibald Kennedy of Cullinan, Colonel Cannon, John late Viscount of Dundee, Earl of Dumfries, Earl of Buchan, Viscount of Frendraught, Lord Dunkell, Mr. Colin Mckenzie Uncle to the Earl of Seaforth, Sir John Drummond of Machany, Sir William Wallace of Craigie, Sir James Hamilton of Eliston, of Archavach, Crawford younger of Armitlan and Crawford his Brother, Mr. David Graham Brother to the late Viscount of Dundee, Robertson of Strouan, Stuart of Ladywell, Ogilvy of Clova, James Edmiston of Newtown of Down, Grant of Balindalloch, Sir Ewen Cameron of Lochel, Cameron his eldest Son, Sir Donald McDonald of Slait, Menachton of Dundorew, Major Middleton, Ensign Winster, Captain Charters, Captain John Ramsay, Son to the late Bishop of Ross, Major William Graham of Boghapple, Captain Patrick Blair, lately Captain in the Earl of Dunmore's Regiment of Dragoons, Cleland of Foskin, Halyburton of Pitcur, Grant of Glenmoriston, Frazer of Foy, Blair of Glesclune, Archibald McDonald of Largie, McDonald his Brother, Alexander Mollister of Loup, McIvernock of Oib, Donald Mcneil of Galochellie, Hector Mcneil his Cousin German, John Menachton uncle to the Laird of Menachton, Menachton his two Sons, Stuart of Apper, John Stuart of Ardsher, Stuarts his Brethren, Alexander Stuart of Innernahyle, James Stuart of Fasnacloch, John Stuart Ear thereof, Alexander McDonald alias Mclean of Glencoe, McDonalds his two Sons, McDonald of Auchatrachan, Sir John Mclean, Laird of Mclean, Hector Mclean of Lochbuis, Mclean of Kingarloch, Mclean of Kinlochhalin, Mr. Alexander Mclean, late Commissary of Argyle, Mclean of Coll, Mclean of Tarbet, Mcleans three Sons, to Charles Mclean in Arras, Mclean of Ardgour elder, and Mclean of Ardgour younger, his Son, Mclean Grand Child to the said Laird of Ardgour elder, John Cameron of Glendishrie, Cameron his Brother, Cameron of Callort, McMartin alias Cameron of Lutterfindlay, Cameron his eldest Son, Cameron of Glenivish, Mcquar of Ulva, McDonald Captain of Clanronald, McDonald of Glengarie, McDonald of Ochterriaw, McDonald of Ferser, McDonald of Benbecula, McDonald of Keppoch, Major Duncan Menzies Stuart of Ballachen elder, Alexander Stuart his brother, Farquharson of Inverrey, Mr. Robert Stuart late Minister at Balquhithier, Andrew Clerk Feuer in Down, McDonald younger of Slate, Robert Stuart Brother to Stuart of Annat, Graham of Duntruin, William Livingston of Kilsyth, Captain James Murray, Lieutenant James Murray, Captain Lieutenant Crichton, Lieutenant Colonel Donald Mcgregor, Mcgregor of Braikley, Chisholm of Strathgairn, Chisholm his Uncle, Patrick Stuart alias vic Domachie, McIntyre Wodfetter in Athole, John Stuart Wodfetter of Salichan, Donald Stuart of Acivlar, Alexander Stuart Wodfetter in Baloch, Donald Stuart of Auchicon, Mr. Archibald Mcalman of Ariwain, John Mcarroy, alias McColl, and Ewen his eldest Son, John McColl, Portioners of Glasdrum, John Reid alias Mcnaughton Fear of Finchocken in Lismore, Have been in actual Rebellion, and in Arms against Their Majesties Government and Laws, or at least accessory to, and Art and Part of the Crimes of Treason and Rebellion, and many of them are yet continuing to perpetrat and carry on their wicked designs against Their Majesties Interest, and for disturbing the publick Peace of the Kingdom; And it being requisite and necessary, that these persons, and the Successors of such of them as are dead, should be disabled from the prosecution of such Rebellious Practices, by withholding from them their Maills and Duties, Debts, Sums of Money, and others due to them; Therefore the saids Lords of His Majesties Privy Council, Do hereby in the Majesties Names Require and Command, the Sheriffs of the whole respective Shires within this Kingdom, and the Stewarts of the Stewartries of Kirkcubright and Orkney, and their Deputes or Clerks of Court, and in case of their absence or neglect, the Town Clerks of the Head Burghs within the said Shires and Stewartries, immediately upon receipt hereof, to cause Messengers at Arms, or Sheriff officers, conjunctly and severally, pass, and in Their Majesties Name and Authority, by vertue hereof, Fence, Arrest and Sequester in the hands of the Vassals, Tennants, Coartars, Feuars, Fermors, or any other person or persons whatsoever, subject and lyable in payment, or adebted and resting, owing to the forenamed persons, Rebels, or the Successors of them that are dead, all and sundry the Maills Farms, Kines, Customes, Casualties Profits, Duties, Goods, Gear, and others whatsoever, due, Adebted, Resting and Owing by them to the forenamed persons, who are, or have been in actual Rebellion against their Majesties Authority, and Laws, or accessory to, or Art and Part of the Crimes above-specified, by Bond Word, Writ, Promise, Passion, Condition, or any other manner of way whatsoever, and this for the year of GOD, 1689, and in time coming, and the Rests of preceeding years; And likewise, all other Debts, Sums of Money, and others whatsoever, due, adebted, and resting, owing by them, to the forenamed persons any manner of way whatsoever, wherever or in whose hands soever the same can be apprehended, to remain under sure Fence and Arrestment, ay and while the Lord of His Majesties Privy Council or Theaury shall give order, how the same shall be disposed of for Their Majesties use, in manner following, *viz* Where there is *Tutus accessus* in the hands of the forenamed persons personally, or at their Dwelling-places, by delivering to every one of them a short Copy, subscribed by the saids Messengers, or Sheriff Officers; and where there is not *Tutus accessus*, by Crying of three severall Overts open Proclamation and publick Reading thereof at the Mercat-Crosse of the Head-Burgh of the saids Shires and Stewartries where they live, or where their Lands and Estates lies, and affixing and leaving a just double upon the saids Cresses, containing upon the end thereof a Copy of the said general Arrestment, Signed by the Messenger: And also to make strict inquiry after all persons in whose hands the forenamed Arrestments should be made, and lay on the same accordingly, and with all convenient Diligence, after so doing, to return to Sir William Lockhart His Majesties Solicitor, both the particular Executions made in the forenamed persons hands personally, or at their Dwelling-places, and the general ones made at the Mercat Cresses, as they will be answerable; For doing of all which, this to the Sheriff Principal, their Deputes, Clerks of Courts, Messengers, Sheriff Officers, and all others concluded, shall be a sufficient Warrant. And Ordains this Pretents to be Printed, and Published accordingly.

Per actum Dominorum Secreti Concilii.

GILB. ELIOT, Cls. Sii. Concilii.

GOD save King WILLIAM and Queen MARY.



60-19

**A Full and True Relation of the Taking of *CORK*, by the Right Honourable the Earl of *Malborough*, Lieut. Gen. of Their Majesties Forces : Together with the Articles of their Surrender.**

**L**ast Night we received the joyful News of the Surrender of *Cork*, and the particulars of that Siege, which were as followeth :

On the 20th of September 1690. The whole Fleet sent with the Earl of *Malborough*, having made the Coast of *Ireland* towards Night, lay by, and next Morning by break of Day they stood in for the Harbours Mouth, there were on each side two Block-houses, on each of which were 4 pieces of Cannon, and which played very warmly ; but as soon as two of our Frigots had plaid a Broadside, they quitted these Forts and run away. About 12 at Noon the Ships came as high as *Passage* ; where was also another Redoubt : But as soon as the Enemy espied our Men landing in Boats, they scoured as hard as they could drive. Here part of our Men landed that Night and Encamped. The next Morning, being the 22d, the rest were debarked, and began to march up towards the Town, which was 6 miles thence ; they arrived at Night within a mile of it, and there encamped. The 23d the Earl of *Malborough* sent a Summons to the Governour to surrender ; which he very peremptorily answered, and hung out a Bloody Flag, firing several Guns. But there being an Outwork, which the Enemy had lately made to secure a Hill, which commanded the Castle, my Lord *Malborough* resolved to Attack it, it giving him so advantageous a Post: Accordingly a 1000 Musqueteers were detached out of the whole Body, and about 3 in the afternoon they marched to attack it. The Enemy that were in it, as soon as they espied our Men approaching, fired one Volley, and then ran into the Town. The great Guns fired mightily, however our Men took Possession hereof and of the Hill ; and that Night made a very good Lodgment. The 24th they prepared Batteries on this Hill ; also took Possession of several Out-posts, which were very necessary to annoy the Enemy. There was great firing with Musquets all that Day. Several Deserters came to us out of the Town, giving an Account, That on the 20th two Regiments came in to them from *Kinsale* ; That the Garrison was 4000 strong, and that they seemed resolved to Defend it. We were also informed, That General *Scravenmoor* was five miles on the other side the Town with 1500 Horse and Dragoons. That Night our Battery was finished, and 6 Cannon placed thereon. On the 25th, about 1 in the Morning, the Enemy made a little Salley, but our Men were so watchful that they were presently beat in again, and about 20 killed of them. About break of Day our Guns began to play against the Castle: And by the Advantage of this Hill our Musquets annoyed them very much : And about 12 at Noon our small Frigots came up to the Key with Tide of Flood and battered the Castle: Toward Night we could see some of the Stones of the Wall begin to shake down. That Night several Deserters came to us, and informed us our Cannon had done great Execution that Day, had killed several, and put them into great Consternation. The 26th, by break of Day our Guns began to batter again, and the Wall began to tumble down, so that by Night there was a pretty good Breach : That Day 500 Horse joyned us, and brought in with them a great Prey of Cattle. They left Monsieur *Scravenmoor* on the other side with the rest, to prevent any Relief that might come. That Day also arrived the Duke of *Wurtemberg* with 2 Danish Regiments of Foot. On the 27th our Cannon continued battering, so that about 4 in the afternoon it had made a very fair Breach fit to enter. Therefore at Night it was resolved, That next Morning our Men should storm the Town: The Design being laid, That 200 Gransdiers with Hand Granades should lead the Van, and these to be seconded with 300 Fusileers, and then the two Battalions of Foot to sustain all, in case of Necessity. The 28th, at 8 in the Morning, all things being disposed, and the Signal upon point of giving, the Enemy perceiving our Design, hung out a White Flag, and bear a Parlee : Which being agreed to, they sent an Officer to my Lord *Malborough* to treat of Conditions ; and that they might march out with Colours flying and Ball in Mouth : But that being refused they surrendered at Mercy, as by the Capitulation appears.

On the 29th my Lord *Malborough* entered the Town, and all things being performed according to the Articles, the Irish were made prisoners of War, and put under a strong Guard into the Castle. And immediately 500 Horse were detached to *Kinsale*, which we do no doubt but is surrendered, since they had weakened themselves by sending two Regiments to *Cork*. Never was such Joy seen in a Place, when all the Protestants were released, the Bells were immediately set a ringing, and all other demonstrations of Joy. There were very great Magazines and Stores found, but as yet we have not the Particulars.

*Capitulations given to the Garrison in Cork, by the Right Honourable the Earl of Malborough, Lieutenant General of Their Majesties Forces in Ireland.*

1. To receive them prisoners of War, giving my Word that there shall be no prejudice done either to Officer, Soldiers, Inhabitants or Clergie of the said Garrison, and will use my Endeavours to obtain his Majesties Clemency towards the said Garrison.
2. They will deliver up the Old Fort within an hour at farthest ; and to morrow, at eight a Clock in the morning, the two Gates of the City, to those whom he shall order.
3. They shall put at liberty immediately all the Protestants that are in Prison, without any pretence whatsoever to the contrary.
4. They shall put in a secure place all the Arms, as well of the Garrison as of the Inhabitants, of what Religion or Religion whatsoever.
5. They shall give a just account of the Magazines, as well Ammunition as Provisions : And the Governour of the City shall make a List of them, signed with his Hand ; which shall be put into the Hands of our Commander of Artillery.

Consented O<sup>tho</sup>.  
4. 1690. J. F.

Dated at the Camp before *Cork*  
this 22th of Septemo. 1690.

MALBOROUGH  
TERRON  
RYCOT.

*Edinburgh*, Re-printed by the Heir of *Andrew Anderson*, Printer to Their most Excellent Majesties, 1690.



# ANSWERS

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For *James Anderson* and *Agnes Campbell* his Mother,  
To the Complaint Exhibite against them before  
the Lords of Their Majesties Privy Council.

**T**hat where the Defenders are conveyed as Contemners of Their Majesties Authority, in Exercing the Office of printing Proclamations of Council, and other things that belongs to the Office of Their Majesties Printers, without taking the *Oath of Allegiance* and *Certificat* appointed to be taken by Persons in Publick Trust; and that therefore they should be Deprived of the said Office, and Ordained to find such Security for their good Behaviour as your Lordships shall think fit.

It is humbly represented to your Lordships, That the second Act of the first Session of this Parliament appoints only persons in Publick Trust, either Civil or Military, to take the *Oath of Allegiance*; and the Office of King's Printer cannot be constructed a Publick Trust, since they have not the Power to Print what they please, and can only Print the Acts of Parliament and Council, and other Papers relating to Publick Affairs, which are Licensed; so that the Government can no ways be prejudged by the Affection, or Disaffection, of Their Majesties Printer, in the Exercise of that Office, which is merely to Print what is Ordained or Licensed by Authority.

The 38 Act of the 2d Session of this Parliament, Appoints only the Certificat to be taken by Persons, who in Law are obliged to take the Oath of Allegiance, and by all those to whom your Lordships shall put the Oath of Allegiance to. But so it is, That the Defenders not being persons in Publick Trust, appointed by the foresaid first Act of Parliament, to take the Oath of Allegiance for the Reasons foresaid; nor the Oath of Allegiance, nor Certificat, not being put by your Lordships before this, to the saids Defenders, they cannot incur the Certification contained in that Act of Parliament, as refusing to subscribe the same; since Persons cannot be said to refuse to Subscribe till they be Interpelled, and Required to do the same: And if your Lordships do now require the same, the Defender *James Anderson*, and *James Hamilton*, who is Assigned by *Agnes Campbell* to her Liferent of the Tack, are most willing to swear the Oath of Allegiance, and subscribe it, and the Certificat, as a Mark of their Affection to Their Majesties Government, if your Lordships shall require it.

As for your Lordships Proclamation Lybelled on, it is so far from being an Argument of the Defenders contempt of their Majesties Authority, in not taking the saids Oaths against the times therein prefixt, that on the contrair, it is a ground of Defence for them, against the present Complaint; since your Lordships by that Act, (if the Defenders, as Printers to their Majesties, had been Persons in publick Trust) would have enumerat them as such; when there are so many several kinds of Publick Trust enumerat, as Sheriffs, Commissars, Stewarts, Bailies of Bailiaries, and Regalities, Magistrats of Burghs, their Deputs, Clerks, and Clerk-deputs, Fiscals, Justices of Peace, &c. And therefore the Defenders not being enumerat, as Persons in Publick Trust, cannot be reput guilty of Contempt, to infer such a Certification, as the loss of their Office, because they took not the said Oath, and Certificat, betwixt and the day prefixt by the said Proclamation: Or if your Lordships had looked upon the Defenders as Disaffected, your Lordships would have expressly Interpelled, and Required them, either by that Proclamation, or some other way, which not being done till now, and the Persons above-named, who have now Right to the said Gift, being willing to take the Oaths, they cannot be Deprived of that Office, which is their Property, being Granted under the Great Seal, and Ratified in Parliament.



# A PROCLAMATION,

## *Discharging the Importation of Forraign Viſual.*



**WILLIAM** and **MARY** by the Grace of **GOD**, King and Queen of Great Britain, France and Ireland, Defenders of the Faith, to Our Lovits,

Macers of Our Privy Council, Meſſengers at Arms, Our Sheriffs in that part, conjunctly and ſeverally, ſpecially conſtitute, Greeting; Forasmuch as the Importing and bringing from Forraign Countreys any Wheat, Bear, Barley, Oats, Meal, or Malt, into this Kingdom, is highly prejudicial to the Native Produ& thereof, and to the Trade upon the growth of the ſame, and gives occaſion to the unwarrantable Exporting of much Money forth of this Realm: For preventing whereof, and obviating the inconveniencies that follow thereupon, We with Advice of the Lords of Our Privy Council, do hereby ſtrictly Prohibite and Diſcharge all Perſons whatſoever, to Import or bring by Sea or Land into this Kingdom, or any of the Ports, Harbours, Towns, or Places thereof, any ſort or quantity of the Viſual above-mentioned, without licence had from Our ſaids Lords for that effect, under the pain of Confiſcation of the ſaid Viſual; the one half thereof to the perſon or perſons, who ſhall make diſcovery of, and ſeiz upon the ſame, and the other half thereof, with the Ships, Barques, or Boats, wherein the ſame ſhall be Imported: To Our Theſaurie, for Our uſe; and other puniſhments to be inflicted upon them, conform to the Acts of Parliament made thereanent; and Ordains all Our Collectors, Surveyers, and Waiters within this Kingdom, at the reſpective Ports, Harbours, and Places where they ſerve, to ſee this Act punctually obſerved, as they will be anſwerable at their higheſt perill; with certification to ſuch as ſhall be found negligent therein, they ſhall incur the loſs of their reſpective Offices. Our Will is herefore, and We Charge you ſtraitly, and Command that incontinent, theſe Our Letters ſeen, ye paſs to the Mercat-Croſs of *Edinburgh*, and whole other Mercat-Croſſes of the Royal Burrows, and Sea-Ports within this Kingdom, and thereat make Publiek Intimation of Our pleaſure in the premiſſes, to the effect none may pretend ignorance.

*Given under Our Signet at Edinburgh, the Sixth day of January, and of Our Reign the Second Year, 1691.*

*Per Actum Dominorum Secreti Concilii.*

**GILB. ELIOT** *Cl. Sti. Concilii.*

**GOD** Save King *William* and Queen *Mary*.

*Edinburgh*, Printed by the Heir of *Andrew Anderson*, Printer to Their moſt Excellent Majeſties, *Anno DOM 1691.*



03<sup>22</sup>

HIS MAJESTY'S  
**S P E E C H**  
TO THE  
ASSEMBLY of the STATES-GENERAL  
OF THE  
UNITED PROVINCES,  
AT THE  
**H A G U E,**  
The 7th of *FEBRUARY*, N. S.

Together with the  
ANSWER of Their High and Mighty LORDSHIPS.

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*As both are Extracted out of the Register of the Resolutions of the States-General of the said United Provinces, and faithfully Translated out of the Dutch Originals.*

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**H**IS Majesty of *Great Britain*, at his first appearing in the Assembly of the States-General, and sitting at the upper-end of the Table, did with many Obliging Expressions declare His Affection and Inclination to this State; saying to this purpose: That when his Majesty was last in the Assembly of the States-General, He did then signify His Intention to go over into *England*; And Thanked them for the Assistance that This State was pleased to give Him towards the Relieving of that Countrey, from the great Grievances under which it groaned, being well nigh brought to the brink of Ruine; That God Almighty had been pleased so to bless His Enterprize, as thereupon to Crown it with desired Success, more favourably and speedier than He could ever have hoped. So that the Consenting Nations offered HIM the Crowns of *England*, *Scotland* and *Ireland*. That His Majesty had accepted them, calling God to witness, not out of any boundless Ambition, (for the Power either of Silver or Gold hath never been able to blind Him) but alone to preserve the Religion, VVell-being, and Tranquility of the aforesaid Kingdoms, and to

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be in a more Powerful Condition of Assisting the Confederats, and particularly This State, to defend them against the over-growing Power of *France*; That His Majesty could well have wish'd it to have been in His Power to have given them all Assistance necessary; but that he Had been so hindred by the business of *Ireland*, that He could not effect it as He desired. That the Affairs of *Ireland*, and of His Majesty's other Kingdoms, being now brought into a much better Posture, He was come over, not only to concert with the Confederats about Measures to be taken the next Campaign, but also to take upon Him the charge of Captain-General of This State: That His Majesty from His Youth upward, hath had a very great Love and Affection for This State; and that the same was daily encreased by the Tokens and Proofs of Kindness that He had found, both from the Government, and People; That His Affection for This State was so great, that it was not possible to be much greater: That He should always keep and preserve the same, and contribute all that lay in His Power for their Welfare, and at all times should be ready to venture his Life and Person for them: That He hoped God would be pleas'd to use him as an Instrument, to remove all the Apprehensions They now labour under, and by settling *Europe* in Peace and Safety, to put this State also into a full Security; And that being done, His Majesty should Die contentedly. He concluded with recommending himself to the good Wishes of their high and Mighty Lordships.

Whereupon the States deliberating on His Majesty's Speech, and the resolution taken, the Heer *Wickers*, President of the Assembly, in the Name of their High and Mighty Lordships, did affectionately return Their Thanks to His Majesty, for the Honour He had done their High and Mighty Lordships, by vouchsafing His Presence among them; and did testify the great Joy of their High and Mighty Lordships for His Majesty's coming into their Countrey, together with the great Obligation their Lordships had to His Majesty, for the constant Care and Concern, that His Majesty, with so great an Affection, had ever born to This State, without the least declining of any Danger: Assuring His Majesty withal, That their High and Mighty Lordships shall, as much as possible in them lies, endeavour to acknowledge, with all Thankfulness all the good Offices done to this State by His Majesty. And further, wished all Happiness and Prosperity to attend His Sacred Person and Designs; with Assurance also, That their High and Mighty Lordships would to the utmost of Their Power, concur with His Majesty, and in all things contribute to the furthering, what they think best to conduce, to the entire satisfaction of His Majesty.

*Translated from the Exact Copy taken from the Register of the States-General.*

Edinburgh, Re-printed by the Heir of *Andrew Anderson*, Printer to their Most Excellent Majesties, *Anna DOM. 1691.*







# A PROCLAMATION,

*Adjourning the Parliament from the Twenty Fifth Day of March, to the Fifteenth Day of May, 1691.*



**WILLIAM** and **MARY**, by the Grace of GOD, King and Queen of Great-Brittain, France and Ireland, Defenders of the Faith ; to Our Lyon King at Arms, and his Brethren Heralds, Maces of Our Privy Council, Pursevants, Messengers at Arms, Our Sheriffs in that part conjunctly and severally, specially Constitute, Greeting : Forasmuch as, We with Advice of the Lords of Our Privy Council, did by Our Proclamation of the Date the Fifteenth Day of *October* last, Adjourn the Current Parliament of this Our Antient Kingdom of *Scotland*, from the Twenty Two Day of *October* last by-past to the Twenty Fifth Day of *March* instant : And we Considering, that the present State of Our Affairs doth not Require the Meeting of Our Parliament so soon as the Twenty Fifth Day of *March* to which it was Adjourned, and We being unwilling that the Members of Our said Parliament be put to the Trouble & Charge of Meeting upon the foresaid Day ; Do therefore, with Advice of the Lords of Our Privy Council, hereby Adjourn Our said Current Parliament, until the Fifteenth Day of *May* next ensuing ; Hereby Requiring all the Members of Our Parliament to Attend that Day, in the usual Way, and under the Certification contained in the several Acts of Parliament. Our Will is herefore, and We Charge you strictly and Command, that incontinent these Our Letters seen, ye pass to the Mercat Cross of *Edinburgh*, and to the remanent Mercat-Crosses of the Head-Burghs of this Our antient Kingdom, and there in Our Name and Authority, by open Proclamation, make Intimation of the said Adjournment of Our Parliament of this Kingdom, from the said Twenty Fifth Day of *March* instant, untill the Fifteenth Day of *May* next ensuing, as ye will Answer to Us thereupon. The which to do, We Commit to you, conjunctly and severally, as said is, Our full Power by these Presents, delivering them by you duely Execute and Indorsed again to the Bearer.

*Given under Our Signet at Edinburgh, the Third Day of March, and of Our Reign the Second Year, 1691.*

*Per Actum Dominorum Secreti Concilii.*

*D. A. MONCREIF, Clr. Secreti Concilii.*

**GOD save King William and Queen Mary.**

*Edinburgh, Printed by the Heir of Andrew Anderson, Printer to Their most Excellent Majesties, 1691.*



# A PROCLAMATION,

*Anent Persons Travelling to or from this Kingdom.*



**W**ILLIAM and **M**ARY by the Grace of **G**OD, King and Queen of *Great-Britain, France and Ireland*, Defenders of the Faith, To Our Lyon King at Arms, and his Brethren Heralds, Macers of Our Privy Council, Pursevants, Messengers at Arms, Our Sheriffs in that part, conjunctly and severally, specially constitute, Greeting : Forasmuch, as several Persons of late have gone from this Our Antient Kingdom of *Scotland* into the Kingdom of *France*, and others have come from *France* into this Kingdom, upon evil Designs against the Government ; Therefore We with Advice of the Lords of Our Privy Council, Do hereby Inhibite and Discharge all Persons whatsoever, who intend to go out of this Our Antient Kingdom ( during this time of War, ) to depart furth of the same, until first they apply themselves to, and receive a Pass from any one of the saids Lords of Our Privy Council for the time being, within Twenty Miles of the saids Persons their residence, and in case there be not a Privy Counsellor within that space, then any two of the Commissioners of Supply within the Shire, where the Person or Persons craving the saids Passes dwell and Reside, who have Accepted and Qualified themselves by Law to Act as Commissioners. And further, We with Advice foresaid, Do hereby Require and Command all Persons whatsoever, who shall come into this Kingdom, at their Entry into the same, to present their Persons, and shew their Passes, or give a rational account of themselves, and their business, and from whence they came, upon Oath in case of Suspicion, to the next Counsellor, Justice of Peace, Magistrat, or Officer of Our Army ; with Certification to such Persons as shall presume to go furth of this Kingdom without Passes, or to come into the same, without presenting their Persons and Passes, or giving account of themselves as said is, their Persons shall be sought for, and if apprehended, shall be committed Prisoners, as Persons justly suspect to be coming or going upon evil Designs against the Government. And sicklike, We with Advice foresaid, Do hereby Prohibite and Discharge all Skippers, and Masters of Ships or Vessels, that they receive no Passengers ( besides their Crue, for whom they must be Answerable ) aboard their Ships, or Transport them either abroad out of this Kingdom, or from abroad into this Kingdom, except such as shall be provided with Passes in manner foresaid. And We with Advice foresaid, Do hereby Require and Command the Skippers or Masters of any Ships, who are to go furth of this Kingdom, before they set Sail, to give in a List upon Oath, of all the Persons aboard of their Ships, or who are to go abroad with them, containing their true Names and Designations, to the next Magistrat, or Justice of Peace, in the place from whence they are to Sail : And Requires and Commands the Skippers, or Masters of any Ships who shall come into this Kingdom, before they suffer any of their Passengers to Land, or go out of their Ships, to give in Lists in manner and to the Persons above appointed. With Certification to the saids Masters or Skippers, if they failzie to give in the foresaid Lists, their Ships and Vessels shall be Arrested, and their Persons secured, until they be proceeded against as Disobeyers of Our Authority and the Law, and Abettors of Rebels and Suspected Persons : And We hereby Require and Appoint the Persons foresaid, to whom Passes are Appointed to be presented by Passengers who shall come into this Kingdom, with all convenient Diligence, to Transmit to the Clerks of Our Privy Council a particular Accompt of such Passengers with their Passes, as shall be presented to them from time to time, with the foresaid Lists to be given in by the Skippers or Masters of Ships, as said is, as they will be Answerable. And to the effect Our Pleasure in the Premises may be known, Our Will is herefore, and We Charge you straitly and Command, that incontinent these our Letters seen, ye pass to the Mercat-Cross of *Edinburgh*, and to the Mercat-Crosses of the whole remanent Head-Burghs of the several Shires and Stewartries within this Kingdom, and there, in our Name and Authority, by open Proclamation, make Intimation and Publication of the Premises, that none may pretend ignorance, as ye will answer to Us thereupon. The which to do We commit to you, conjunctly and severally Our full Power, by these Presents, delivering them by you, duly execute and indorfed again to the bearer.

Given under Our Signet at **Edinburgh**, the Fourth day of **May**, And of Our Reign the third Year, 1691.

*Per Actum Dominorum Sti. Concilij.*  
**DA. MONCREIF**, Cls. Secreti Concilij.

**GOD** save King **WILLIAM** and Queen **MARY**.





# A PROCLAMATION,

## *Adjourning the Parliament*

*From the 17 of August, to the 16 of November, 1692.*



**W**ILLIAM and MARY by the grace of GOD, King and Queen of Great-Britain, France and Ireland, Defenders of the Faith, To our Lyon King at Arms, and his brethren Heraulds, Macers of Our Privy Council, Pursevants, Messengers at Arms, Our Sheriffs in that part conjunctly and severally specially constitute greeting; Forasmuch as We, with Advice of the Lords of our Privy Council, did by Our Proclamation of the date the twentie ninth day of *March* last by past, Adjourn the current Parliament of this Our antient Kingdom of *Scotland*, from the fifteenth day of *April* last by past, to the seventeenth day of *August* next, in this present year One thousand six hundred and ninety two; And now in regard of Our absence, and that our Affairs in this our said antient Kingdom, do not require the Meeting of our Parliament so soon, and that the Members of Parliament may not be put to the trouble or charge of Meeting upon the said day; We therefore with advice of the Lords of our Privy Council, hereby Adjourn our said current Parliament, until the Sixteenth day of *November* next to come, in this said instant year, One thousand six hundred and ninety two, hereby requiring all the Members of Our Parliament, to give Attendance at *Edinburgh* on that day, in the accustomed manner, and under the Certifications contained in the several Acts of Parliament. OUR WILL IS HEREFOR, and We charge you strictly, and Command, that in-continent these Our Letters seen, ye pass to the *Mercat-crofs* of *Edinburgh*, and to the *Mercat-crosses* of the whole Head-burghs of the several Shires of this Kingdom, and there in Our Name and Authority, by open Proclamation, make publication of the said Adjournment of Our current Parliament of this Our antient Kingdom, from the said seventeenth day of *August*, to the said sixteenth day of *November*, both next ensuing; and ordains these presents to be Printed.

*Given under Our Signet at Edinburgh the twenty sixth day of July, and of Our Reign the fourth year, 1692.*

*Per actum Dominorum Secreti Concilii.*

*In Supplimentum Signeti.*

GILB, ELIOT, *Cls. Sti. Concilii*

## *GOD Save King William and Queen Mary*

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Printed by the Heir of *Andrew Anderson* Printer to Their most excellent Majesties, *Anno Dom. 1692.*



# THE CASE OF

*Sampson Hele, Esq; Against the Right Reverend Father in God, Jonathan, Lord Bishop of Exon, and Gawen Hayman, Clerk; in a Quare Impedit, now depending on a Writ of Error in the House of Lords.*

Hill. Term,  
2. Will. &  
Mariæ.

**S**ampson Hele, Esq; brought a *quare impedit* in the Court of Common-Pleas, against the Lord Bishop of Exon and Gawen Hayman, Clerk; for recovery of his Presentation to the Church of *Southpole* in *Devon*, the Advowson of which, is appendant to his Mannor of *Southpole*, of which he is Seized in Fee.

To which the Defendants appeared, and the Bishop pleaded, that he claimed nothing in the Church but as Ordinary, but said further, that the 15th of April An. 2d. Will. & Mariæ, the Church became void; and the 19th of May, Anno præd. Mr. Hele presented one Francis Hodder, as his Clerk to the said Church, whom the Bishop on Examination found to be *Persona in literatura minus sufficiens seu capax ad habendum dictam Ecclesiam* and therefore he refused to admit the said Hodder, and two and thirty days after, gave notice to Mr. Hele to present another Clerk; who did not present any other Person, within six Months after the Death of the last Incumbent; whereupon, the right of Collation devolved to him as Ordinary, by *Lapse*, and he Presented the Defendant Hayman.

Mr. Hayman Pleaded the same Plea *verbatim*, as the Bishop Pleaded.

Mr. Hele by Replication says, That the said Francis Hodder, at the time when he was presented to the said Church, was Vicar of the Parish Church of *Ugborough* in the County of *Devon*; lawfully Admitted, Instituted, and Inducted thereunto, and was in Holy Orders, by Episcopal Ordination, from the late Bishop Sparrow, then Bishop of Exon; and in Reading, Praying, Preaching, Administ'ring the Sacraments, and in all other things appertaining to the Priest's Office and Cure of Souls, was well and sufficiently Learned.

The Defendants, by Rejoinder to this Replication, maintain their Plea; and after some further Pleading, (not very material,) the Defendants Demurre, and the Plaintiff joins in Demurrer, and the matter is left to the consideration of the Court.

The only point in the Case, arose upon the Defendants Plea; and the main Objection thereunto, was, that it was too general and uncertain, not comprehending any particular or certain Cause of the Bishop's refusal of Mr. Hodder for; Learning in the general, comprehends all Humane Science; many parts whereof, are not at all requisite to the Qualification of a Priest; and by the general expression of *minus sufficiens in literatura* it appeared not, in what part of Learning Mr. Hodder was deficient, so as the Temporal Courts could not thereupon Adjudge, whether the Cause, for which the Bishop refused Mr. Hodder, was a sufficient Cause in Law, to refuse him, or not.

The Cause depended two Years in the Common-Pleas, and was Argued thrice at the Bar, by Serjeants of either side; and in *Hillary Term*, 4 Reg. & Regina nunc, &c. Judgment was given for the Plaintiff, by the unanimous Consent of the whole Court, upon the insufficiency of the Defendants Pleas, for the Reason above mentioned.

Hill. Term,  
4. W. & M.

The Defendants being dissatisfied with this Judgment, brought a Writ of Error in the King's Bench, which came on to be Argued before the Judges of that Court, in *Michaelmas Term* last; who on the first Argument, seemed inclinable to affirm the Judgment which the Court of Common-Pleas had given; but the Defendants Counsel pressing for another Argument, the Court gave them further time till the Term following; and in *Hillary Term* last, the Counsel for the Plaintiff was prepared, and offered to have Argued the Cause a second time, but the Counsel for the Defendants (seeing the Opinion of the Court to be against them) refused to speak any more thereunto, but desired the Court to give their Judgment therein; so that even by the Defendant's own Consent, as well as on the Matter in Law, the Court of King's Bench affirm'd the Judgment; and the Judges declared their Opinions of the insufficiency of the Plea, for the Reason above mentioned.

Obj.

It may be Objected, that the Matter of Fact contained in the Bishop's Plea, is true, though it be not sufficiently pleaded; that Mr. Hodder is an Illiterate Man; that he is unworthy of Orders, by Reason of his Ignorance; and that he got them in a surreptitious manner; that the Bishop could not in Conscience admit him, when he found him so very unfit; so that this Judgment is given upon the bare formality of pleading only; when as Truth and Reason, and the preservation of the Church's Rights, are on the other side.

Ans.

Mr. Hodder hath been a Benefic'd Clergy Man in *Devonshire*, Twenty Years and upwards, of a very Sober Conversation, and an Honest Character amongst his Neighbours; and lookt upon, to be an Able, Painful, Diligent Man in his Function; his Insufficiency in Learning (whatever it be) was unknown to Mr. Hele, who is a private Country Gentleman; and finding Mr. Hodder a Priest in Orders, having charge of a great Congregation; and a great Family, but a small Income (his Vicaridge being not worth above 30 pounds per An.) out of Charity presented him to this Benefice of *Southpole*; where his Livelihood would have been augmented, but his Charge very much lessened; for there are five times as many Souls in *Ugborough*, as there are in *Southpole*; so that if he be sufficient to keep that Benefice which he hath already, he is much more so to take this new Preferment.

If it be said that 'tis hard, that a slip in the formality of pleading, should lose to the Bishop the Right of Presentation; which by the *Lapse* is fallen to him; It's harder, that Mr. Hele's Charity to a poor Clergy-Man, should be the occasion of losing his Inheritance; and if the Bishop will take the advantage of a *Lapse*, to deprive the Patron of his Presentation; it's hoped, that the Patron may take, any advantage the Law gives him to recover it.

Obj.

Should this Judgment stand; Mr. Hodder (whom the said Bishop of Exon hath found unfit) shall be obtruded and thrust into the Church, against the Conscience and Duty of his Diocesan, who by reason of his Insufficiency, was bound to refuse him Institution.

Ans.

With all due Respect to his Lordship and the Jurisdiction and Priviledges of the Church; it may in Answer be observed, that the Judgment at Law is, that the Patron shall recover the Presentation, not that Mr. Hodder shall have Institution; for now a Writ must go to the Metropolitane to require him to admit a fit Person to the Church on Mr. Hele's Presentation; and if he present Mr. Hodder again, and the Archbishop find him insufficient, he may refuse to admit him; so that 'tis not any hardship put upon the Lord Bishop of Exon, or any breach on the Jurisdiction of the Church; for the Archbishop is still Judge of Mr. Hodder's sufficiency; and he is also still lyable to the Bishop of Exon's Jurisdiction, who for the same Cause (admitting it sufficient) for which he refused him Institution to a new Benefice, may deprive him of that which he hath already.

The tender Regard that the Laws of England have to the preservation of the Temporal Rights of English Subjects, was the great Reason that guided the Opinions of the Judges in their Judging of this Case; for should every Ordinary be the absolute Judge of his own Cause of Refusal; and the Temporal Courts be obliged to give Judgment on a general Allegation of *minus sufficiens in literatura* without being informed in what particular the Insufficiency lyes; it must from thence necessarily follow, that all the Patronages and Advowsons in the Hands of the Nobility and Gentry of England, must be precarious; for then the Ordinary may refuse any Clerk presented by a Rightful Patron, until the six Months be elaps'd, and then take the advantage of that delay which he himself occasion'd.

*It's therefore humbly hop'd, that the Judgment given in the Common-Pleas in this Cause, and affirm'd afterwards in the King's Bench, will likewise have the Confirmation of this most Honourable House.*



The CASE  
Of *Sampson Hele* Esq;  
Against  
The Bishop of *Exon*, & *al.*



# The CASE of

JONATHAN, Bishop of Exon, and Gawen Hayman, Clerk, Plaintiffs;

In a WRIT of ERROR

By Them Brought in the High-Court of PARLIAMENT,  
Against Sampson Hele, Esq; Defendant.

For Reversing a Judgment obtained against them in a Quare Impedit, by the now Defendant.

**T**H E Defendant Hele being Patron of the Rectory of South-pool in the County of Devon, and Diocess of Exeter, did, upon the Death of Mr. Oltramare, the last Incumbent, Give his Presentation to Francis Hodder, Dated, May 12th, 1690, who, accordingly, Tendred the same to Jonathan Bishop of Exon.

The Bishop thereupon immediately Ordered the Instruments for his Institution to be Drawn up; and it being Required by Law, That all Persons to be Instituted, should first Subscribe a Certain Declaration, containing their Consent to the 39 Articles of Religion, &c. The Bishop (as obliged) Perusing the said Subscription, observed, The said Hodder had Written therein, *Triginta novena Articulis*, instead of *Triginta novem Articulis*: Whereupon the Bishop Asked him, What the Word *Novena* Agreed with? Hodder Answered, With *Triginta*. The Bishop Asked him, What Part of Speech *Triginta* was? He Answered, A Noun Adjective: and being bid to Decline it, he did it after this Manner, viz. *Hæc Triginta, Triginta, &c.* Then the Bishop ordered him to Write from the Number One, to Thirty, in Latin, which he could not Truly do, as Appears by his Attempt under his own Hand. The Bishop, by such Gross Ignorance, seeing he should not be able, in Conscience, to give him Institution; For the better Justification of his Refusal, Examined him (as is usual) in the Greek Testament, and some Latin Authors; In all which, finding him extremely Ignorant, he at last (as the least thing which is ever expected from Persons to be Admitted, either to Holy Orders, or Institution) appointed him to Translate this short Article following, being the 24th in the Book of 39 Articles.

"It is a Thing plainly Repugnant to the Word of God, and the Custom of the Primitive Church, to have Publick Prayers in the Church, and to Minister the Sacraments in a Tongue not understood of the People.

Which the said Hodder rendred as follows, all Wrote, and Subscribed with his own Hand.

"*Rebus est plane repugnans verbum Dei & usu Primitive Ecclesiæ habere publicum Orationem in Ecclesia vel Ministro Sacramentis in lingua non intiliger Populi.*

The Bishop, on this, Stopt his Institution; and, by a very Civil Letter, Advertised Mr. Hele of the Great Ignorance of his Clerk, and desired him to send another Better Qualified: But the said Mr. Hele (by his Letter in Answer) resolved to adhere to his First Presentation.

The Bishop was unable, in Conscience, to Comply with the said Mr. Hele's Desire, as well by reason of the said Hodders Ignorance, as also because, upon some Enquiry made on this occasion, into the said Hodders Manners, he found him on Record in the Registry of Exon, for having Counterfeited Priests Orders in the Year 1670, under the Hand and Seal of Gilbert, then Lord Bishop of Bristol; which Orders were discovered to be Counterfeit, by Anthony, then Lord Bishop of Exon, by the many Gross Errours in the Latin of that Instrument, or Letter of Orders, which is as follows,

Tenore prænominis Nos Gilbertus permissione dia' Bristoll notuus facimus Universis, quod Vicesimo die mensis Martij, Anno Domini Milimo Sexcento Septuageno in Ecclesia Ca' thi Bristol, Nos epus' antenominatus sacros ordine die omnipotentis auxilis celebrantes Dilectum nobis in Xpo' Fran. Hodder diaconum intitulum ad Vicariam de Marshwood de vita sua laudabili ac morum & virtutum suarum, donis in hæc p'te commendatum atque in Sacrarum Literarum Doctrina, & scientia sufficienter eruditum & anobis per debitam Examinationem comprobatum prestitis primis per eum Juramentis coram Nobis, tam de primatu Regiæ Majestatis agnoscendo, &c. quam de fidelitate five Allegiantie d'no n'ro Regi hereditibus & Successoribus suis, per eum prestandis atque in super Articulis X'pianam Religionem in Ecclesia Anglicana stabilit' ad d'ni n'ri Regis Suprenitatem concernentem, per eum sponte & voluntarie subscript' ad sacros Presbyteratus Ordinem juxta morem & ritus Ecclesiæ Anglicanæ in hæc parte, *subrubiter editus admissimus & promovimus* Ipsumque Presbyterum tunc & ib'm Canonice & p'time Ordinavimus, in cujus rei Testimonium sigillum n'rum Ep'ale p'ntibus opponi fecimus. Dat' apud Bristoll, die mensis & Anno Domini supradictis.

GILBERT BRISTOLL

Note, It further appears by the Register Book at Exon, that the said Hodder was not truly ordained so much as Deacon, till 19th. December, 1674, and Priest the 19th. December, 1675.

The Bishop therefore after having expected another Presentation from Mr. Hele for Six Months Collated by Lapse, (as by Law Empowered) the said Gawen Hayman.

Term Hil. 2. Upon this, Mr. Hele brought a Quare Impedit against the Bishop, and Hayman, to which they Appeared and Pleaded. "That the said Bishop had G. & M. "Refused to Admit the said Hodder; for that after due Examination he the said Hodder at the time of the Presentation Appeared to be, Persona in Literatura minus sufficiens seu Capax ad habendum d'ct' Ecclesiam, Super quo idem Episcopus ut Ecclesiæ predictæ Ordinarius præd' Franciscum Hodder, sic presentat' de habilitate & Idoneitate sua in hac parte secundum Leges Ecclesiasticas ad tunc & ib'm Examinauit ut de Jure debuit, & Super huj' Examinationem idem Episcopus invenit predictum Franciscum Hodder fore Personam in Literatura insufficientem, ac eà Occasione fore Personam inhabilem & minimè idoneam ad habendum præd' beneficium cum Curâ Animarum. Which Plea, (drawn up by Mr. Serjeant Tremain, and Perused by another Learned Serjeant, and by several Eminent Council) after several Arguments, and the Citing of several Ancient Precedents, agreeing totidem verbis with the now said Plea.

Viz. Bodenham against the Bishop of Hereford. Hill. 6. Eliz. Rot. 646. Who Pleaded, that Bodenham's Clerk Presented fuit Communis Adulter, & de mala fama & inhonesta Gubernatione, ac persona in Literatura minus sufficiens, seu habilis ad habendum aliquod Beneficium Sanctæ Ecclesiæ.

Pasche 6. Eliz. Rot. 714. Who Pleaded that the Presentee being Examined de habilitate honestate & doctrina suis, & pro eo quod Episcopus invenit Clericum fore Criminosum & de non sana Doctrina, he refused to give him Institution.

Mich. 15. & 16. Eliz. Rot. 1941. Molineux against the Arch-Bishop of York. Who Pleaded, that the Presentee, fuit Persona in Literatura minus sufficiens seu habilis ad habendum prædict' Ecclesiam, and therefore Refused, &c.

The Court though for some time Inclined, for the now Plaintiffs in this Writ of Error, at last thought fit Notwithstanding to over-rule their Pleas, and to give Judgment against the now Plaintiffs, who were then Defendants.

Hil. 5. W. 29 M. On which the now Plaintiffs brought their Writ of Error returnable in the King's Bench, where after a single Argument, the Court Affirm'd the Judgment given in the Common-Pleas against the now Plaintiffs, Notwithstanding the forementioned Particulars of Hodder's Ignorance, (which were urged and produced in both Courts) and Notwithstanding the said Precedents, and divers other Ancient Law-Books Cited, and as is conceived, agreeing in Point with the Case in Question.



# A C T

*Declaring who are meant by Deserters, in the Instructions from the Council to the Commissioners of Supply, anent the new Levies.*

*Edinburgh, 20 February, 1694.*

**T**HE Lords of Their Majesties Privy Council considering, that by the Sixth Article of the Printed Instructions from their Lordships to the Commissioners of Supply within the several Shires of this Kingdom, anent the new Levies; It is appointed, that if any debate shall arise anent the Men to be put out in the new Levy, and that it be alledged or found proven, that any of the Men to be now put out are Deserters from any of Their Majesties standing Forces, at home or abroad, the Commissioners are to determine the Man to belong to the person who puts him out in the new Levy, albeit he be found a Deserter. And understanding that several of the standing Forces are ready for gain to desert, and take on in the new Levies: And seeing it was never the Councils meaning that any Souldiers should be encouraged to Desert, but that for hastening the present Levies, any old Deserter might take on therein. Therefore the saids Lords of Their Majesties Privy Council Declares, that by Deserters in the foresaid Instruction, is only to be understood such Deserters as have deserted preceeding the first day of *November* last bypast, but on no ways any such Deserters as have deserted since that time; And Ordains the Commissioners within the several Shires, to determine that point of the said Sixth Instruction, in the precise terms hereof, and no otherways. And the Council have recommended to Sir *Thomas Livingstone*, Commander in Chief of Their Majesties Forces within this Kingdom, to acquaint the Officers of the standing Forces, that they may quite their pretences to such Deserters, as have Deserted preceeding the said First day of *November* last. And Ordains these presents to be Printed and Published at the Mercat-Cross of *Edinburgh*, and whole Mercat-Crosses of the remanent Head Burghs of the several Shires within this Kingdom, that none may pretend ignorance.

Extracted by me

GILB. ELIOT *Clk. Sti. Concilii.*

*G O D save King VVilliam and Queen Mary.*

E D I N B U R G H,

Printed by the Heirs and Successors of *Andrew Anderson*, Printer to Their most Excellent Majesties, Anno DOM. 1694.



# ACT and INTIMATION, Anent this Currant Parliament.

*Edinburgh, October 11. 1694.*

**T**HE Lords of Their Majesties Privy Council Considering, that where the present Currant Parliament was by Their Majesties last Proclamation thereanent, Adjourned to the Twenty fifth day of *October* instant: And His Majesty being now abroad forth of His Kingdoms, hath not as yet signified His pleasure, either by sending a Commissioner for holding thereof at the said day, nor His Royal Order for Adjourning the same to a further day: And seeing that both by the Nature of the High Court of Parliament, and by expresse Acts of Parliament, Parliaments are Currant, without the necessity of an expresse Continuation untill they be Dissolved by Their Majesties expresse Warrant, whose sole Prerogative it is to Dissolve, as well as to Call, Hold, and Prorogue the same. Therefore the saids Lords of Their Majesties Privy Council, in expectation of Their Majesties expresse Orders, and to prevent the unnecessary trouble of the Members, and other good Subjects who may be concerned to repair to the Meeting of Parliament; Have thought fit to Ordain Intimation to be made, that all Members of Parliament be ready to meet and attend in this Currant Parliament, so soon as Their Majesties Will and Pleasure shall be signified to them for that effect: And that none may pretend ignorance, Ordains these presents to be Printed, and to be Published at the Mercat-Cross of *Edinburgh* by the Lyon King at Arms, and his Brethren Heralds and Pursuivants, and at the whole Mercat-Crosses of the remanent Head-Burghs of the several Shires within this Kingdom, by Macers or Messengers,

*Per Actum Dominorum Secreti Concilii.*  
GILB. ELIOT *Clk. Sti. Concilii.*

*G O D save King VWilliam and Queen Mary.*

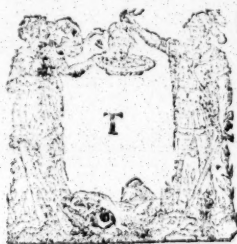
*Edinburgh, Printed by the Heirs and Successors of Andrew Anderson, Printer to  
Their most Excellent Majesties, Anno Dom. 1694.*



# A C T

*Discharging Boats, Barks, or Vessels from Going to the Bass,  
or Furnishing Supplies thereto.*

*Edinburgh, February 28. 1694.*



He Lords of Their Majesties Privy Council, being informed, that several of the Rebels who hold out the Isle and Rock of the *Bass*, are at present come, or driven ashore, and that by the late Storms, the Boats belonging to the saids Rebels are lost, which may prove an effectual mean of their Reduction, Do hereby strictly Command and Charge all Persons, Skippers, Owners, or Possessors of Boats, Barks, or other Vessels, great or small, residing and possessing the saids Boats, Barks, or Vessels, on either side of the *Firth* from *Stirling* to *St. Andrews* upon the one side, and from *Stirling* to *Berwick* on the other side of the said Rock, that they carefully keep and secure the same, both Night and Day, from being either seized upon, Stollen, or otherways taken away by the saids Rebels, or any of them, or any other person for their use and service, under all highest pains; and that neither they, nor any person whatsoever presume to Hire, Lend, or otherways furnish any Boat, Bark, or other Vessel to the saids Rebels, or any of them, or any other for their Use and Service, under the pains due to Corresponders with, and Suppliers of Rebels and Traitors. And farther, the saids Lords, Do hereby Renew and Assure the Promise of twenty pound *Sterling*, formerly made to any person who shall seize any of the saids Rebels wherever they may be found, and shall deliver the Person so seized to any of Their Majesties Officers, either Civil or Military. And they Ordain that these presents be Printed and Published at the Mercat-cross of *Edinburgh*, and also at all the Towns on the Coast of either side of the *Firth* within the bounds foresaid, that none pretend Ignorance. Extracted by me

GILB. ELIOT *Clk. Sts. Councils.*

*G O D save King VWilliam and Queen Mary.*

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EDINBURGH,  
Printed by the Heirs and Successors of *Andrew Anderson*, Printer to Their most  
Excellent Majesties, Anno DOM. 1694.





# A PROCLAMATION,

Against Deserters, and Resetting of them.



**WILLIAM and MARY** by the Grace of **GOD**, King and Queen of *Great-Britain, France and Ireland*, Defenders of the Faith; To

Macers of Our Privy Council, Messengers at Arms, Our Sheriffs in that part, conjunctly and severally, specially constitute, Greeting: Forasmuch, as in obedience to the Orders Direct by Us, to the Commander in Chief of Our Forces within this Kingdom, and the Collonels and other Officers of the several Regiments, appointed by Us to be Transported for *Flanders*, The saids Collonels have their Regiments compleat and in good condition, ready to be Embarqued for Our Service in *Flanders*; And We Considering, that all Souldiers Listed and Engaged in Our Service, ought to be intirely reserved for that use, and no ways encouraged, inticed, or seduced to Desert the same, nor reset, harboured and sheltered when they Desert, or forsake the said Service, or leave the same, otherways than by allowance, and a Pass granted by their Superior Officers, conform to the Rules of Military Discipline; And that it is both the Interest of Our Service, and Honour of this Our antient Kingdom, That the Regiments now to be Embarqued, should be full and compleat; Therefore We, with Advice of the Lords of Our Privy Council, peremptorily Prohibit and Discharge, all and sundry Our Subjects within this Kingdom, whether Officers or Soldiers, or other persons whatsoever, to intise, perswade, or seduce any of the Souldiers in Our Service, and under Our Pay, and particularly in the Regiments under the Command of the Lord *Strathnaver*, Sir *James Lest*, Collonel *Buchan*, and Collonel *Hamilton*, or any of them, now ready to be Embarqued, and Transported to *Flanders*, To Desert, or leave Our said Service, or to shelter, conceal, harbour, reset and intertain any Soldier who Deserts, or unduly leaves Our said Service; And particularly any of the saids Regiments: Or who has Deserted, left, or run away from the same, since the first Day of *November* last, without having a Pass, signed and subscribed by the Captain and Commanding Officer of the Regiment for the time, in which the said Souldier or Souldiers last served; Certifying all who shall come in the contrair hereof, that they and each of them shall be lyable for each Souldier intised, deserting, or reset, as said is, in the sum of an hundred pounds *Scots* to be decerned to be payed to the Captain under whom the said Souldier served, by the ordinary Magistrat of the place, where the Transgressor lives, and that by and attour the delivering up to the said Captain, the person of the Deserter, or furnishing another sufficient Souldier in his stead: And for the more effectual Observance of the Premises, We, with Advice foresaid, Require and Command the Collonels, and other Officers of the respective Regiments, who are to stay and remain within this Kingdom, to deliver up to the Collonels and other Officers of the Regiments to be Transported for *Flanders*, all Deserters since the first of *November* last, from any of the saids Regiments to be Transported, who are, or have been in Service, or Retained in the Regiments that are to stay at Home, and that before Imbarquing of the saids Regiments to be Transported, under the pain foresaid: And further, that the Officers of the saids Regiments to stay at Home, with the Assistance and Concurrence of any Magistrat of the Bounds, and no otherways, seize and apprehend all concealed Deserters of these Regiments whom they can discover, and give account of them to the Commander in Chief of Our Forces, To the effect that they may be sent abroad to the respective Regiments to which they belong. And to the effect that not only the Forces to stay at home, but all Our Leidges may know their hazard in the Premises, We, with Advice foresaid, Prohibit and Discharge any person who hath been in Our Service, to be received as a Tennent by any Heretor, or Servant to any Master of Family, or harboured by any person, or any Deserter of the Regiments to go abroad since the first of *November* last, to be received Souldier in any Regiment or Company which stays at home, who shall not have a Pass signed and subscribed in manner foresaid: As also, that no Stranger, though not a Deserter, be received at any time betwixt and the fifteenth of *May* next, by any Heretor or Master of Family, to reside with him without a sufficient Testimonial from the Sheriff or his Deputs, or a Justice of Peace, or other Magistrats of the Bounds from whence they last came; Certifying all and every one, who contrary hereto shall receive, reset, or conceal any Soldier, known to him to be a Deserter, or Stranger without Pass or Testimonial foresaid, betwixt and the said fifteenth Day of *May*, that they shall be lyable in the penalty above mentioned, to be decerned to be payed in manner above-exprest. And lastly, for the more effectual reclaiming of such as have Deserted, to return to their Service, We with Advice foresaid, Do fully Pardon and Indemnifie all and every one of the saids Deserters of the saids Regiments to be Transported to *Flanders*, who shall return to their Duty and Service, and render themselves either to the saids Officers, before the saids Regiments shall be Embarqued, or to the Commander in Chief of Our Forces, betwixt and the first Day of *May* next to come; Certifying all such as shall despise or neglect this Our Gracious Offer, that if thereafter apprehended, they shall be punished without Mercy: And this Proclamation to continue and endure until the fifteenth Day of *May* next to come, and no longer, but prejudice of former Proclamations emitted against Deserters, and the Officers their Right to them by vertue thereof. **OUR WILL IS HEREOF**, and We Charge you straitly and Command, that incontinent these Our Letters seen, ye pass to the Mercat-Crosse of *Edinburgh*, and to the remanent Mercat-Crosses of the Head-Burghs of the several Shires of this our antient Kingdom, and there, in Our Name and Authority, by open Proclamation, make intimation of the Premises, And Ordains these Presents to be Printed, and Published at, and affixed upon the Doors of all the Paroch-Churches within this Kingdom.

Given under Our Signet at *Edinburgh*, the fourth day of *April*. And of Our Reign the fifth Year, 1694.

Per actum Dominorum Secreti Concilii.  
GILB. ELIOT. Cls. Ssi. Concilii.

**GOD Save King William and Queen Mary.**

*Edinburgh*, Printed by the Heirs and Successors of *Andrew Anderson*, Printer to their most Excellent Majesties, Anno DOM. 1694.





# PROCLAMATION

*For making up Men deficient in the last Levies.*



WILLIAM and MARY, by the Grace of God, King and Queen of Great Brittain, France and Ireland, Defenders of the Faith, To

Macers of Our Privy Council, Messengers at Arms, Our Sheriffs in that Part, Conjunctly and Severally, specially Constitute, Greeting; FOR AS MUCH AS, in Prosecution of the seventh Act of the fourth Session of this Our current Parliament, cheerfully offering to Us, a present Levy of two thousand nine hundred and seventy nine Foot, to be Levied off the several Shires and Burghs of this Kingdom, effeiring to the Proportions and Numbers set down in the foresaid Act. The Lords of Our Privy Council, conform to the Power given to them in the foresaid Act of Parliament, by their Instructions to the Commissioners of Supply within the several Shires of this Kingdom, of the Date the

eighth day of February last by past: appointed the saids Commissioners furthwith, to make exact Lists of the Heretors and Lands lyable in the said Levy, that so it might be perfectly known who were lyable. And in case any men were to be put out by Fractions, and that they could not agree who should furnish the body of the man, the saids Commissioners should order the Fractions to meet at a certain day and place; and there determine it by an equal Lot, effeiring to their respective Numbers of Men, or the quantities of their respective Valuations, as the use was in every Shire; so that every Lotter was to have as many Lots, as he had Numbers of Men, or quantities of valued Rent sufficient for the Outreick of a man: And in case any of the saids Fractions should not meet, or should refuse to Lot, the saids Commissioners were authorized to appoint such as they should think fit, to meet and Lot for them. And in case the person upon whom the Lot fell to put out a man for himself and his Fraction, should fail in furnishing the man, or should furnish an insufficient man; then the Tennents and Possessors of the Lands and Ground belonging to the saids persons who should have put out the man, should be lyable; and the person upon whom the Lot did fall, and who failied to put out the man in manner foresaid, should be decerned in the Sum of two hundred Merks. To which Act of Parliament and Instructions foresaid, We expected punctual and exact Compliance and Obedience. Yet, not only a great many outreicked and furnished to serve as Souldiers in the said new Levy, are rejected and sent home as Insufficient; but likewise, many lyable to outreick and furnish men for the said Levy, are deficient and altogether wanting, in sending out the Numbers of men wherein they are lyable, conform to the said Act of Parliament and Instructions foresaid, and thereby have incurred the Penalties contained in the saids Instructions, by and attour their being lyable for the persons of the men whom they were to have outreicked, conform to the said Act of Parliament and Instructions. Therefore, and for the more effectual providing the said men, and compleating the number of Souldiers offered to Us by the foresaid Act of Parliament, and exacting the Penalties Constitute in the foresaid Instructions; We, with Advice of the Lords of Our Privy Council, peremptorly Require and Command the Sheriff, of the several Shires, and their Deputs, Stewarts of Sewartries, Baillies of Regalities, and their respective Deputs, and Magistrats of Burghs Royal, within this Our ancient Kingdom, as they wil be answerable, each of them within their own respective Jurisdictions, presently upon sight hereof, to call for a List of the deficient men wit in their respective Bounds, and of the Persons who should have put out the same and upon receipt thereof, wherein Lotting hath been made for Fractions, that he immediatly cast Lots amongst the saids Fractions, who shall put out the man one or more, and then shall pass to the Ground of his Lands upon whom the Lot shall happen to fall, and there immediatly pitch upon, take and apprehend a sufficient man out of his said men, able to serve Us as a Souldier, and commit them Prisoners to the Prison of the head Burgh of the Shire, there to be kepted at four shilling Scots per diem, upon the Expenses of the Officer who is to receive him upon advertisement from the Sheriff, or other Judge foresaid who causes apprehend and commit him to the said Prison; and which Allowance is to be refounded to the said Officer, by the Pay of the said Souldier, which is to be allowed to him for the said person, from the day of his being committed, as if he had been Listed and Intolled as a Souldier in Our Service; and in like manner, shall apprehend sufficient men upon the Ground of the Lands of these who are deficient, according to the numbers they have not put out, and are lyable to, whether by the Rule of the Militia specified in the Act of Parliament, or otherways; and deliver them to the next Commanding Officers, in manner, and to the end above mentioned: and likewise, that they cause exact the Penalties mentioned in the saids Instructions, from all who have incurred the same, by and attour the apprehending and delivering the man, in manner foresaid. OUR WILL IS HEREOF, and We Charge you strictly, and Command, that in continent these Our Letters seen, ye pass to the Mercat-Cross of Edinburgh, and to the Mercat-Crosses of the Remanent Burghs of the whole Shires of this Kingdom, and there in Our Name and Authority, make publick Intimation of the Premises, that none may pretend Ignorance.

*Given under Our Signet at Edinburgh, the second day of August, and of Our Reign the sixth Year, 1694.*

*Per Aſſum Dominorum Secreti Concilii.  
GILB. ELLIOT.*





# PROCLAMATION

*For bringing in and paying the Arrears due by the Forces to the Countrey.*



WILLIAM and MARY by the Grace of GOD, King and Queen of Great-Britain, France and Ireland, Defenders of the Faith; To

Macers of Our Privy Council, Messengers at Arms, Our Sheriffs in that part, conjunctly and severally, specially constitute, Greeting : Forasmuch as, by the Ninth Act of the Fourth Session of this Our current Parliament, for Pole-money, the same is most strictly Appointed and Destined, for payment of the Arrears due to the Countrey and Army, preceeding the first of February, One Thousand six hundred and ninety one Years, In the first place : Prohibiting and Discharging the applying thereof to any other use whatsoever, and Certifying such as shall either give orders for mis-applying thereof, or intromet with the same, the Mis-applyers and Receivers thereof, shall be lyable conjunctly and severally in the double thereof, at the instance of any party concerned, and their privat Estates subject and lyable for the double of that which shall be so mis-applied. And further, It is by the said Act Declared, That where the Arrears due to the Countrey, by the Forces, shall be first duely stated for any Burgh or Shire, conform to the Orders and Rules set down thereanent, the Burgh or Shire to whom the said Arrears shall be found due, shall have Retention, and get a Discharge of their Pole-money, in satisfaction of their said Arrears; and where the Arrears due to any Shire or Burgh, exceeds the Pole-money due by the said Burgh and Shire, then and in that case, the said surplus shall be ordered to be payed by the Lords of the Thesaury, out of the Pole-money due and brought in from other places, with regard always to the total of these arrears, and to the total of the said Pole-money, that the foresaid surplus may be payable, and payed proportionally, as the foresaid Act of Parliament, Impowering the Lords of Our Privy Council to Determine all Difficulties thereby undetermined, that may arise anent the Premisses, more fully bears. Likeas the saids Lords of Our Privy Council having thought fit, for the better Ingathering of the foresaid Pole-money, and for the more sure answering of the ends and uses to which it is Appropriat, as said is, that the said Pole-money should be set in Tack upon a Roup, for payment of the highest Tack-duty that should be offered; We in prosecution of the said Act of Parliament, and Acts of Our Council, for Setting the foresaid Tack, Did by Our Proclamation of the Date the last of July last bypast, require and Command all Burghs and Shires, to whom any Arrears were due, as said is, and who might pretend to the benefit of the foresaid Retention, to cause state and bring in their Accompts thereof to the Clerks of Our Privy Council, to the effect that they might be there Revised and Approven, and payment ordered accordingly, as the said Proclamation, bearing an exprels distinction of the Arrears due by the English Forces, from these due by the Scots Forces at more length propoerts: And We being firmly resolved, That notwithstanding that few or none of the saids Shires and Burghs have obtained their Accompts duly stated in the Terms of the said Act of Parliament, before the Term of Martinmas last, which is the Term appointed for the payment of the said Pole-money, to the effect they might have had the benefit of the Retention above provided: Yet nevertheless the Destination contained in the foresaid Act, for the payment of the said Arrears in the first place, shall be strictly and punctually kept, without any violation, or taking the least advantage of the foresaid Shires and Burghs, their neglect and omission; Have therefore, and to make the foresaid Destination more effectual, and the payment of the said Shires and Burghs more sure and punctual, with the Advice of the Lords of Our Privy Council Ordered, Likeas, We with Advice foresaid, Do hereby Order and Appoint the foresaid Shires and Burghs; As also, all others to whom any Arrears are due by Our Forces out of the Pole-money, to send in to the Clerks of Our Privy Council, the Accompts of their said Arrears, duly stated conform to former Orders, to be Revised and Approven by the Lords of Our Privy Council, and that peremptorly betwixt and the fifteenth Day of January next to come, Certifying all such as shall failzie herein, that their Accompts shall not be hereafter received, in respect of their said neglect and Contumacy, and that their falling short, or being delayed of the payment hereby for them intended, shall only be imputable to their own fault. And it is further hereby Declared, That when ever the foresaid Accomps, hereby ordered to be brought in, shall be Revised and Approven by the Lords of Our Privy Council, to whom We earnestly Recommend to dispatch the same with all diligence possible, then the Lords of Our Thesaury are with all due conveniency to give Precepts to the saids Shires and Burghs, and others concerned, upon Our Genetal Receiver, for payment to them of the respective Sums that shall be found due by the saids Lords of Our Privy Council in manner foresaid, to the effect that Our said General Receiver, to whom the Tack-duty of the said Pole-money, is by the Tack set to the Farmours thereof, appointed to be paid at the Terms of Candlemas and Whitsunday next therein specified, may make punctual payment of the saids Precepts, after the foresaid Terms, and as he shall be ordered by the saids Lords of Our Thesaury. And lastly, it is hereby Declared, That these Presents so exactly calculat, for the furthering of the Countreys payment of the said Arrears, conform to the said Act of Parliament, shall be without prejudice to the Farmours of the Pole-money, of their uplifting of the same, as also of the payment to be made by them of their Tack-duty therefore, conform to the Tenor of their Tack in all points. OUR WILL IS herefore, and We Charge you strictly and Commands, that incontinent these Our Letters seen, ye pass to the Mercat-Cross of Edinburgh, and to the Mercat Crosses of the Head-Burghs of the several Shires of this Kingdom, and there, in Our Name and Authority make publication hereof, that none pretend Ignorance. And Ordains these Presents to be Printed.

*Given under Our Signet at Edinburgh, the sixteenth Day of November. And of Our Reign the sixth Year, 1694.*

*Per Actum Dominorum Secreti Concilii.*

GILB. ELIOT, *Clk. Sst. Concilii.*

G O D Save King William and Queen Mary.





# A PROCLAMATION

*Adjourning the Parliament to the fifteenth day of February  
1695.*



**WILLIAM** and **MARY** by the grace of **GOD**, King and Queen of *Great Britain, France and Ireland*, Defenders of the Faith; To Our Lyon King at Arms, and his Brethren Heralds, Macers of Our Privy Council, Purservants, Messengers at Arms, Our Sheriffs in that part, conjunctly and severally, specially constitute, Greeting: Forasmuch as, We by Our Proclamation of the Date the thirty day of *October* last, with Advice of the Lords of Our Privy Council, did Adjourn the Current Parliament of this Our Antient Kingdom till the thirteenth day of *December* then next to come, now instant, and Our Affairs not requiring a Meeting thereof at that time, We have thought fit, that the Adjournment thereof shall be till the fifteenth day of *February* next to come. Therefore We with Advice of the Lords of Our Privy Council, do hereby Adjourn Our said Current Parliament until the said fifteenth day of *February* next ensuing the date hereof; Requiring all the Members of Our said Parliament to attend that day, in the usual way, and under the Certifications contained in the several Acts of Parliament made thereanent. **OUR WILL IS HEREOF**, and We charge you strictly, and Command, that Incontinent these Our Letters seen, ye pass to the Mercat-Cross of *Edinburgh*, and to the Mercat-Crosses of the remanent Head-burghs of the several Shires of this Our Antient Kingdom, and there by open Proclamation, make Intimation, that Our said Parliament of this Kingdom is adjourned to the said fifteenth day of *February* next to come. And Ordains these Presents to be Printed.

*Given under Our Signet at Edinburgh the fourth day of December, and of Our  
Reign the sixth Year 1694.*

*Per Actum Dominorum Secreti Concilii*

**GILB. ELIOT**, *cl<sup>r</sup> s<sup>r</sup>i. Concilii*

**God save King VWilliam and Queen Mary.**

*Edinburgh*, Printed by the Heirs and Successors of *Andrew Anderson*, Printer to Their most Excellent Majesties, 1694.



# A C T,

## Anent the Deficients in the last Levy.

EDINBURGH, the thirteenth Day of *December*, 1694.



H E Lords of Their Majesties Privy Council, Do hereby Ordain Their Majesties Sollicitor, to transmit to the Sheriffs of the Shires and Stewarts of the Stewartries within this Kingdom, or their Deputs or Clerks, such Lists of the Deficients of the New Levy, as have come to his hands; and where no Lists shall be sent by the Sollicitor, Ordains the saids Sheriffs, and Stewarts and their Deputs, and Clerks of Supply, to make up full and exact Lists of the saids Deficients, and to transmit Doubles thereof to their Majesties Sollicitor, within fifteen Days, after this A& shall come to their hands; And also Ordains the respective Sheriffs, Stewarts of Stewartries, and Baillies of Bailliaries within this Kingdom, and their Deputs, within the said space of fifteen days after this A& comes to their hands, to exact and uplift from the persons lyable in putting out any Men of the New Levy; and who have not put out these Men before the first day of *November* last, the Penalty of two hundred Merks, wherein every such person is lyable, conform to the Proclamations and Instructions thereanent. And the saids Lords Do hereby Authorize and Warrant the said Sheriffs, Stewarts, Baillies of Bailliaries and their Deputs, either to call a Party of their Majesties Forces, from any Commander within the Shire, Stewartrie, or Bailliary: And Ordains the saids Commanders to furnish Parties to them, for poynding of the persons Failziers and Deficient, as said is, before the said first day of *November* last, or otherwise to make use of their own Officers, for that end, and Declares that the persons Deficient, as said is, are to be poynded in manner prescribed by the Act of Parliament One thousand six hundred and sixty nine, anent the Militia, and the expense of the poynding is to be exacted from them accordingly. And the saids Lords Do hereby Ordain the saids Sheriffs, Stewarts and Baillies, and their Deputs, to pay, or cause pay in the Penalties to be exacted and uplifted by them, to the Collector of Supply within the Shire, and Ordains the Collector to transmit the one halfe of these Penalties to the General Receiver of their Majesties Crown Rents, to be applied towards the perfecting the Geographical Mapps of this Kingdom, and the other half to be disposed of by the Commissioners of the Shire, for the publick Uses within the same, ( the said Collector retaining always the twentieth penny for his pains ) with Certification to the said Sheriffs, Stewarts, Baillies and their Deputs and Clerks, and Collectors of Supply respective who shall failzie, in discharge of any part of their Duty specified in this A&, that they shall be lyable for the Penalties of these Deficients whom they should have Lited, and Poynded, and whose Penalties they should have Collected, and transmitted as above appointed, And that Letters of Horning shall be dire&, for charging them for payment thereof *simpliciter*. And Ordains these Presents to be Printed, and appoints their Majesties Sollicitor to send Printed Copies of the same, to the Sheriffs, Stewarts, Baillies, or their Deputs, or Clerks, with all convenient diligence. Extracted by me

GILB: ELIOT, *cl. Sti. Concilii.*

G O D Save King VWilliam and Queen Mary.

*Edinburgh*, Printed by the Heirs and Successors of *Andrew Anderson*, Printer to Their most Excellent Majesties, Anno DOM. 1694.





# A PROCLAMATION,

*Anent Recruits, and Regulating the Seising of Deserters.*



WILLIAM and MARY by the Grace of GOD, King and Queen of Great-Britain, France and Ireland, Defenders of the Faith ; To  
Macers of Our Privy Council, Messengers at Arms, Our Sheriffs in that part, conjunctly and severally, specially constitute, Greeting : Forasmuch as, there are several Scots Officers come over for raising Recruits to Our Scots Troups in Flanders ; And We Considering on the one hand , how much it is both for the Honour of this Our antient Kingdom, and the good of Our Service , that these Forces in Flanders be effectually Recruited, and being no less sensible on the other hand, both of the Accidents that have lately happened , and that Abuses are ordinarily committed upon such occasions, Have thought fit by a Letter under Our Royal Hand, to recommend to the Care and Prudence of the Lords of Our Privy Council, to give Our Officers all necessar Countenance and Assistance , in making of the saids Recruits ; but withall to keep them within the bounds that the Law prescribes : In Order whereunto , We with Advice of the saids Lords of Our Privy Council, Require and Command all Sheriffs and their Deputs, Lords of Regality and their Baillics, Justices of Peace, Magistrats of Our Royal Burghs, and other Magistrats whatsoever, Commanders of Our Castles and Forts, Officers of Our standing Forces, and all others Our Good Subjects, to give their best assistance in this matter, and to Cause secure all Sea-ports and other wayes, and Passages out of the Kingdom, to prevent the escaping or withdrawing of Deserters ; And for that end, that no person be suffered to pass out of Our said Kingdom, either by Sea or Land, at any time betwixt and the first of March next, except they have Passports duly subscribed by one of the Members of Our Privy Council. And We with Advice foresaid, strictly Prohibit and Discharge Our saids Officers, come for Recruits from Flanders, to seize any as Deserters, but such as have Deserted from Our Scots Regiments in Flanders since they were there, and none others : And allow the Officers of Our standing Forces in this Our antient Kingdom, to seize upon none upon the head of Desertion, but such as have Deserted from one or other of the saids Regiments, of which they are at present Officers, and Discharge any person to be seized upon on pretence of Desertion, before Our accession to the Crown ; And Discharge the Officers of the standing Regiments in this Our Kingdom, to Recruit till such time as the Officers for Flanders shall have shipped their Recruits ; and that violence be done to no Man to make him ingage in Our Service , but that such as do voluntarily ingage, be not allowed to retract ; but if they offer to do the same, they be considered and secured as Deserters : And for the greater encouragement of such as shall ingage to go to Flanders for Our Service, We with Advice foresaid Do Declare, that after three years Service in Our Armies Abroad , they shall have their Passes with full freedom to leave Our Service in their option, with this proviso only, that if their saids Passes shall fall due, and be by them desired in the beginning of a Campaign, they shall only be delayed till the end of the said Campaign , after which they shall immediatly have their saids Passes and freedom, as is above declared : And if any of those who shall go to Flanders, shall happen to be Wounded or Maimed, so as to become unfit for Service, the same care shall be taken of them that is taken of all others on English Pay ; And this Our Royal Will in the particulars above-mentioned. We with Advice of the Lords of Our Privy Council, Ordain to be duly Published, and punctually observed. And further, We with Advice foresaid, Do hereby Ratifie and Revive the Proclamation of the date the sixteenth Day of December , One thousand six hundred ninety two years, for Regulating the Levy of Recruits, Willing and Ordaining the same to be strictly observed in all Points, and the Pains thereof upon Transgression duly exacted. OUR WILL IS herefore, and We Charge you strictly and Command, that incontinent these Our Letters seen, ye pass to the Mercat Cross of Edinburgh , and to the Mercat Crosses of the Head Burghs of the several Shires of this Kingdom, and therein Our Name and Authority by open Proclamation, make intimation hereof, that none pretend ignorance,  
Given under Our Signet at Edinburgh the eighteenth day of December. And of Our Reign the sixth Year, 1694.

Per actum Dominorum Secreti Concilii.  
GILB. ELIOT, Cl. Sti. Concilii.

*GOD save King WWilliam and Queen Mary.*

TO HIS  
**MAJESTIES**  
HIGH  
**COMMISSIONER**  
And the Right Honourable the Estates  
of Parliament,

*Evan Mcgrigor* Merchant in *Edinburgh*, and  
Master of the Caird Manufactory,

*Humble Sheweth,*

**T**Hat where by an Act of Parliament 1661. the Act of Parliament 1633 against the *Clan Mcgrigor*, and suppressing the Name thereof was rescinded, since which time, all were in *bona fide* to bear and use the Name of *McGrigor*, And I being only born about that time have since in all my life, Trade and Correspondencies both at home & abroad used the same Name without the least ground of scruple, & this Name having been used by me bred to be a Merchant and for the most part residing at *Leith*, and there exercising the for said Manufactory, which hath engaged me in many Correspondencies both at home and abroad: It is Evident that on the one hand my continuing of the said Name can be no prejudice to any design that ever was or now may be for the general peace & in order to the greater quiet of the *Highlands*, and on the other hand that my discontinuing of the same cannot but bring a great confusion upon my Trade and all my Affairs, which may in effect tend to my utter ruine: and therefore seeing it pleased this Honourable Parliament by the 39<sup>th</sup> Act of their last Session intituled Act for the Justiciarie in the *Highlands*, to revive the Act of Parliament 1633 against the *Clan Grigor*, notwithstanding that the same was rescinded in the Year 1661 and to Annull and make void the said Act rescissory: your Petitioner craves leave in all humility to represent that first and last it appears to have been the meaning and design of these Acts to suppress and discharge the for said Name only in the *Highlands*, as one of the remedies for the peace of that Country. Secondly, that it is clear the for said last Act



of Parliament 1693 Doth, revive the forsaid Act 1633 only transiently, And to make the main design of the act for Comissions of Justiciarie against Robberies in the Highlands more effectuell; So that with all submission I may take the freedom to say that the ease and Concern of private persons living in the Lowlands, and ingaged in private Trades and Employments, was not at that time so much as under the Parliaments Consideration. And 3<sup>ly</sup> That as Your Petitioner hath already found the prejudice of the said Act 1693 in hindering his using diligence for Bonds and Bills in his Name, which he humbly supposes, was never thereby intended; So unless this High and Honourable Court provide some restriction and remedie for Your Petitioner in his case living in the Lowlands, and ingaged and following Commerce and Employment there, the rigorous Execution of the forsaid Act 1633 revived as said is, most necessarlie tend to his utter ruine and undoing.

*May it therefor please Your Grace and this High and Honourable Court of Parliament, to declair that the forsaid Act 1633 against the Clan grigor revived by the said Act 1693 is not to extend to Your Petitioner residing at Leith, and in the Lowlands and ingaged in Trade and Manufactory as said is, But that he and his posterity after him may use the the forsaid Name as hitherto they have used the same notwithstanding of the forsaid Act of Parliament, and without the Incurring the pains thereof in any sort, sicklike and as freely as if the forsaid Act of Parliament 1661 were still standing in Vigor.*

*And Your Graces Petitioner shall ever Pray.*



*See note p. 10*



# PROCLAMATION,

*Discharging the base Copper Money, Coyned in Ireland  
by the late King James, in 1689, and 1690.*



**W**ILLIAM by the Grace of GOD, King of Great-Britain, France and Ireland, Defender of the Faith; To Macers of Our Privy Council, or Messengers at Arms, Our Sheriff, in that part, conjunctly and severally, specially Constituted Greeting: Forasmuch as, it is informed that there are great quantities of base Brass or Copper-Coyn, Coyned in Ireland, by the Command of the late King James, in the years One thousand six hundred and eighty nine, and one thousand six hundred and ninety, to pass for Shillings, Half-Crowns, and other species, bearing upon one of the two sides of the Shillings, the number of twelve marked thus, XII. with the mark of J. R. The Half-Crowns the number of XXX. with the said mark J. R. and so of other species: Imported into this Kingdom, and vented for six penny Scots pieces, or otherwise, whereby Our Leidges are greatly abused: Therefore We, with Advice of the Lords of Our Privy Council, Have thought fit to Discharge, and hereby Discharges the Importing of the said base Coyn of the foresaid species or marks, or any other whatsoever. As also the Vending thereof, and giving or taking thereof by way of Change, under the pains following, viz. That the Importer thereof into this Kingdom in any quantity exceeding a pound weight, shall be imprisoned by the Judge ordinar of the Bounds, where he shall be apprehended, and lyable to the punishment by Law inflicted on Venders of False Coyn: And that any other Importers, Venders or Out-givers of the said base Coyn in any quantity greater or smaller, shall be lyable in the pain of twenty pounds Scots to the Informer, and half to the Poor of the Parish, to be exacted by the Judge ordinar of the Bounds with all rigour. OUR WILL IS herefore, and VVe Charge you strictly and Command, that incontinent these our Letters seen, ye pass to the Mercat Cross of Edinburgh, and the remanent Mercat-Crosses of the whole Head-Burghs of all the Shires and Stewartries within this Kingdom, and there make publick Intimation of the Premisses, that none may pretend ignorance. And Ordains these Presents to be Printed.

*Given under Our Signet at Edinburgh, the seventh Day of March, and of  
Our Reign the sixth Year, 1695.*

*Per actum Dominorum Secreti Concilii.*

GILB: ELIOT, Cls. Sti. Concilii.

**GOD Save the KING.**

*Edinburgh, Printed by the Heirs and Successors of Andrew Anderson, Printer  
to His most Excellent Majesty, anno Dom. 1695.*





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# PROCLAMATION, Against the importing of Irish Victual;



**WE** *ELIAM* by the grace of God, King of Great Britain, France and Ireland, Defender of the Faith; To Macers of Our Privy Council, or Messengers at Arms, Our Sheriffs in that part, conjunctly and severally, specially constitute, Greeting: Forasmuch as, albeit by several Acts of Parliament, and Proclamations of Council, the Importing of Meal or Victual of any sort from the Kingdom of Ireland, and others therein-mentioned, Have been expressly prohibited and discharged to be Imported into this Kingdom by any person or persons whatsoever, under the pains and penalties therein mentioned, Yet nevertheless several of Our Leidges, both of Our Kingdom of Scotland, & also of Our said other Kingdom, in manifest defraud of the foresaid Laws and Proclamations, do clandestinely Import Meal and other Victual from Ireland, and landing the same in some remote Islands, or at Creeks within this Our ancient Kingdom, do retail and sell the same as the native product of our Kingdom of Scotland, to the great obstruction of the sale of the growth of this Kingdom, and to the manifest prejudice thereof, by exporting the current Money in specie: For remeed whereof, We with advice of the Lords of our Privy Council ratifie and approve the former Proclamations made against the Importing of Forraign Meal and Victual and particularly that of the date the 13th of March 1694 years, in the whole heads, Clauses and Articles thereof, and penalties therein contained, Hereby requiring and commanding the same to be put to effectual execution in all time coming; Certifying all such Mariners, Sea-men and Sailers, in any Vessel, Importing any Meal or Victual, or others mentioned in the foresaid Proclamation, and contrary to the same, from the said Kingdom of Ireland to this Our ancient Kingdom, and certifying all and every other persons, who shall be found to concur or assist the said Importers of the Meal, Victual and others mentioned in the said Proclamation, or who refers the same, that they shall be seized upon, and committed to the next Prison, there to remain during the pleasure of Our Privy Council; And We with advice foresaid, do hereby require and command *David Crawfurd* of *Drumsay* presently appointed, and others who shall be appointed in his place for watching the Coast against the Importing of the said Irish Victual, And also the Sheriffs of the several Shires, Justices of Peace, and Magistrats of Burghs within their respective Jurisdictions, to seize upon, take and apprehend the persons respectively foresaid, who shall be found to transgress the premises in manner abovementioned, and to commit and detain them in Prison, until they shall be thence delivered by express warrant of the Lords of our Privy Council, to be granted for that effect. OUR WILL IS Herefore, and We charge you strictly, and command, that incontinent thir Our Letters seen, ye pass to the Mercat crosses of *Edinburgh*, and to the Mercat-crosses of the Burghs of *Glasgow* and *Dumfries*, and of the head-burghs of the several Shires within the bounds, betwixt the Sound of *Mule* and *Dumfries*, and thereat make publication of Our pleasure in the premises, that none may pretend ignorance. And ordains these presents to be Printed.

Given under our Signet at *Edinburgh* the 12th day of March, and of our reign the 6th year, 1695.

*Per actum Dominorum Secreti Concilii.*

GILE: ELIOT, Cls. Sti. Concilii.

**G O D Save the KING.**

*Edinburgh*, Printed by the Heirs and Successors of *Andrew Anderson*, Printer to His most Excellent Majesty, anno Dom. 1695.

LTD  
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UNTO  
**HIS GRACE**  
HIS  
**MAJESTIES**  
HIGH  
**COMMISSIONER**

And the Right Honourable the Estates of  
Parliament,

The Humble Representation of the Ministers from  
the Synods and Presbyteries of this Church, Met  
at *Edinburgh May 30 1695* years.

**W**EE do with all thankfulness acknowledge that His Majesty,  
and the Honourable Estates of this present Parliament, have  
under God been the happy Instruments of reviving the Re-  
formation, and restoring the Government of this Church.  
And do humbly and earnestly beg of His Grace the Lord  
Commissioner and the Honourable Estates of Parliament, the continuance of  
their Favour, in promoting and carrying on the Reformation begun, and  
Countenancing the Judicatories of this Church in the Exercise of Discipline and  
Government for that effect. And We humbly crave leave to lay before You  
the following particulars.

1. That notwithstanding of many good and excellent Laws made against  
Prophanity of all sorts, yet all kind of Wickedness doth exceedingly abound, espe-  
cially Cursing, and Swearing, Sabbath breaking, Drunkenness, Uncleaness &c.  
and in all appearance will more and more encrease, unless some method be fallen  
on for a vigorous Execution of these Laws.

2. That several of the Episcopal Clergy, who are yet in possession of their  
Charges and Benefices, do in several places meet together in their pretended Pres-  
byteries and Synods, and Act as if they were Legal Judicatories.

3. That divers of the late Episcopal Clergy, and others whom they have af-  
filiated unto them, have intruded themselves into Vacant Churches, possess  
themselves of Pulpits, Manse and Benefices, exercising all the parts of the  
Ministry as if they were the lawful Ministers of these Parishes, and that without  
any legal call, allowance or admission of any Church Judicatory or Application  
therunto for that effect.



4. That when the Committee of the late Assembly was in the North they met with several protestations at Aberdeen, and Inverness, from several of the Episcopall Ministers, not only in their own Name, but pretending to represent others of their perswasion, and this they did though neither Cited nor call'd which protestations were Declinations of the Authority of the Iudicatories of this Church, and tend to perpetuate Schisme therein, and are a manifest contempt of the Law.

5 That diverse of the late Episcopall Clergy after due tryal being found guilty of gross Scandals, immoralities, contumacies and, supine negligence, and for those causes censured with deposition, do notwithstanding in high contempt of all order & Jurisdiction of the Church take on them to exercise all the parts of the Ministerial Function.

6 That several of the late Incumbents outred of their Charges for their disaffection to the Government, do create disturbance against the same in several parts of the Kingdom by Irregular Preaching, baptising of Children begotten in Adultery and Fornication, without regard to the removing of the Scandal, and Solemnizing of Marriage without proclamation of Banns, and without the knowledge and consent of Parents, yea sometimes within the forbidden Degrees and where former Marriages are not dissolved, and they do abolve Scandalous Persons unto whom they had never any Ministerial Relation.

7. It is Humbly Begg'd that vacant Stipends may be effectually applied for pious uses, and that these Vacancies that are on the north side of Tay may be applied for the defraying of their Charges who are from time to time sent to the North for supplying of the same, and that part of these vacant Stipends may be employed to bear the expence of calling Ministers from the South to the North to plant vacancies there, and for Maintaining of Indigent Students of Theology recommended by the Presbyteries of the bounds.

All these above complained of being certain, and which we are sufficiently able to instruct if need be, are in themselves grievous and offensive to good Persons, & hardning to a wicked generation who love licentiousness and a lawless liberty. Therefore it is humbly begg'd that his Grace his Majesties high Commissioner, and the Honourable Estates of Parliament may think of making Laws for remedying such of these evils as have not yet Laws against them, and revive such old acts as are made, and appoint the Execution of them that knowledge and piety may flourish sin and vice may be curb'd and stop'd, and flagitious and disorderly persons may be punished truth and peace may continue, the Kingdom of Christ encrease, and the word of the Lord have free course and be glorified, which will alwayes be found to be the stability of the Throne, and the true interest and security of the Nation.



# PROCLAMATION,

For apprehending *Patrick Grahame* of *Inchbraco*,  
with promise of a Reward.



**W**ILLIAM by the Grace of GOD, King of *Great Britain*,  
*France* and *Ireland*, Defender of the Faith; To Our Lovits,  
Macers of Our Privy  
Council, Messengers at Arms, Our Sheriffs in that part, conjunctly  
and severally, specially constitute, Greeting. Forasmuch, as it is  
informed, that *Patrick Grahame* younger of *Inchbraco* hath lately killed *John*  
*Malter of Rollo*, without any occasion or provocation; and after the commit-  
ting thereof, hath withdrawn and fled from underlying the Law. Therefore  
We, with advice of the Lords of Our Privy Council, have thought fit to certi-  
fie all our Leidges, of this inhumane Slaughter, and to require all Magi-  
strats, and all Our other Officers, Civil and Military, with all Our other Leidges,  
to do their outmost to apprehend the said *Patrick Grahame*, that he may be  
brought to condign punishment; Indemnifying hereby any person from the ha-  
zard of Slaughter, or any other Act of Violence which they may be necessitat  
to commit against the said *Patrick Grahame*, or any who shall joyn with him, in  
his resisting to be apprehended. And further, We do promise and assure the  
Sum of Eighteen hundred Merks *Scots* to any person or persons who shall Seiz  
and apprehend the said *Patrick Grahame*, and deliver him to any of Our Ma-  
giltrats, or Officers of Our Army, to be by them safely kepted, in order to  
his Tryal; discharging hereby all Our Leidges to shelter, harbour, or any ways  
assist or supply the said *Patrick Grahame*, upon their highest peril. OUR  
WILL IS HEREOF, and We Charge you strictly, and Commands  
that incontinent, these Our Letters seen, ye pass to the Mercat-Cross of *Edin-*  
*burgh*, and remanent Mercat-Crosses of the Head-Burghs of the severall Shires  
within this Kingdom, and there in Our Name and Authority make Publication  
hereof, that none may pretend ignorance. And ordains these presents to be  
Printed and Published. Given under Our Signet at *Edinburgh*, the Fourth  
day of *June*, and of Our Reign the Seventh Year, 1695.

*Per Actum Dominorum Secreti Concilii.*

GILB. ELIOT. *Clk. Sti. Concilii.*

**GOD save the KING.**

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*Edinburgh*, Printed by the Heirs and Successors of *Andrew Anderson*, Printer  
to His most Excellent Majesty, Anno Dom. 1695.





# A PROCLAMATION

*For Collecting and In-bringing the Pole-Money, appointed to be payed at Martinmas, 1695. by an Act of the last Session of Parliament.*

**WILLIAM** by the Grace of GOD, King of Great-Britain, France and Ireland, Defender of the Faith: To  
Masters of Our Privy Council, Messengers at Arms, Our Sheriffs in that part, conjunctly and severally, specially constitute, Greeting: Forasmuch  
as, We have thought good, that the Pole-money Imposed by an Act of the last Session of Our Current Parliament, shall be Uplifted and In-gathered by way of Collection.  
Therefore We, with Advice of Our Privy Council, and conform to the Reference made to them by the said Act, have Ordained, and hereby Ordains, that  
the foresaid Pole-money be Uplifted, Collected and brought in at the sight, and by the direction of the Commissioners for Supply, throughout the whole Shires of the Kingdom, in  
manner following, viz. That the saids Commissioners, or their *Quorum*, appointed by the foresaid Act of Parliament, to meet and subdivide themselves for taking up Rolls and Lists of all  
the Poleable persons within their respective bounds, the days, and in the manner mentioned in the said Act, do at the saids days sub-divide themselves, appointing two, either of their own  
number, or of the Heretors of every Paroch, for each Paroch, with power to the saids Sub-Commissioners at their meeting in the saids Paroches, for taking up Lists and Rolls as said is, to  
choose and nominate a fit and responal person to be both Clerk and Collector of the Pole of that Paroch; as also to call the Elders or Deacons, or other fit persons within the Paroch, and cause  
them give up upon Oath, to the best of their knowledge, the names of all the persons within the Paroch, and to cause every House-keeper give up the number, names and quality of all within  
House, which names, with the qualities and degrees of the persons, and the condition of their Estate, as they stand Poleable by the said Act of Parliament, are to be set down by the said  
Clerk in a List or Roll, at the sight of the saids two Sub-Commissioners for that end, and the same with the Sum that the whole Pole amounts to, is to be Subscribed by the said Commissioners  
(who are hereby fully empowered to contrall the same, and to determine all questions arising thereon) and their Clerk, and then to be given in to the Collector of the Supply within  
the Shire, who is to Registrat the same in a Book to be kept by him for that effect, and Extracts of the Roll of every Paroch are to be Subscribed, and given out by the Collector of the  
Shire to the Sub-Collectors of the Paroch, for uplifting and in-gathering of the Sums therein contained; and the List and Rolls of all the Paroches within the Shire being brought in, and  
Booked and Recorded as said is, the Books shall be Subscribed by the Commissioners of the Shire, or their *quorum*, and an Authentick double thereof under the Commissioners and their Col-  
lectors hands, sent in to the Lords of the Treasury, betwixt and the day appointed by the said Act of Parliament: And the foresaid Sub-Collectors of the said Paroches getting Subscribed  
Extracts of the Rolls, as said is, are to uplift the Pole-money from the persons lyable therein, conform to the saids Extracts at the time, and in the manner prescribed by the said Act of Par-  
liament; And for the discharge of the persons making payment, the Sub-Collectors are to have another Roll or Book, bearing this Title, *BOOK or ROLL of the Poleable persons within  
such a Paroch, who have made payment of their respective Poles, set down, with their names in manner subjoyned.* Which Title being Signed by the saids two Sub-Commissioners, and the  
persons making payment getting their Names and Sums set down in the said Roll or Book, by the Sub-Collector of the Paroch, shall be to them a sufficient acquitance, without the necessity of  
any Discharge apart, in case the party shall not require a Discharge: And this Book or Roll containing the names and proportions of the Discharge after the number of Thirty days allowed  
to the persons lyable to come in and make payment, shall be given in, with the Money collected in every Paroch, to the Collector for Supply of the Shire, who is immediately to give to the  
Sub-Collectors an Extract of the said Roll of payments for the Paroch, with his Discharge at the foot thereof, Registrat in the Books of the Commissioners of Supply, and an Extract of the  
same is to be returned and kept in the Kirk Session Records of the Paroch: And the Collector for the Shire is further to insert the said Roll, after first being compared by two of the Commis-  
sioners with the former Rolls, in another Book, to be kept by the saids Collectors, and Subscribed by the Commissioners of the Shire, or their *quorum*, as the Register of payments, of which  
second Book or Register an authentick double subscribed as above, is also to be sent in to the Lords of Our Treasury, within Fifteen days after the expiring of the said Thirty days, and with-  
in the same space the foresaid Collectors of Supply for the Shires, are hereby ordained to make payment to the Receiver-general of the Total received by them for the Paroches of every  
Shire, for which they are to have the General Receivers Discharge to the Shire relative to the foresaid Book and Register of payments brought in to the Treasury, as said is, and which  
Discharge is to be Registrat in the Books of Exchequer, and an Extract thereof given to the Collector of the Shire, to be carried back and kept in the Records of the Shire, and the foresaid  
Clerks and sub-Collectors of the Paroches, for their whole pains in the premises, are to have an allowance from the Commissioners of the Shire out of their Collection, not exceeding two  
*per Cent* of the Money by them collected, and are hereby also declared to be punishable and fynable for their neglect or fraud in the saids Trusts by the Commissioners of the Shires, as they shall  
see cause. Likewise, the said Collector of Supply for the Shire, is for all his pains in the said premises, to have an allowance from the Commissioners of the Shire, not exceeding Two *per Cent*, of the  
Money to be payed in to him by the Sub-Collectors & the said Collectors of Supply, is likewise hereby declared to be punishable and fynable by the Commissioners of the Shire for their neglect  
and fraud, as they shall see cause: And the foresaid Commissioners of the Shires are hereby commanded to attend and do their duty in the premises, in manner prescribed by the said Act of Par-  
liament for Pole-money, & by this Proclamation, under the pain each of them of Ten Pounds *Scots toties quoties*, to be given to the Commissioners that do meet, and the Clerks of Supply for the  
several Shires, are hereby ordained to send in Lists to the Clerks of our Privy Council, of the Commissioners that do not meet, or keep the meetings, either for the Paroches, or for the whole Shire,  
within the space of Fifteen days after the elaping of their respective Dyers, to the effect Letters may be direct against the saids Commissioners, failing to meet, for payment of their saids Fines.  
And further, the said Commissioners, in case of their other neglects and failziours in the premises: As also, the said Collectors of Shires failing in their parts, are hereby declared pun-  
ishable by Our Council, as they shall see cause: And what is hereby appointed as to Commissioners of Shires within their bounds foresaid, is also appointed and enjoyned to Magistrate with-  
in Burgh, and their Sub-Collectors, and under the same pains in all points, with this express provision, that the Sub-Collectors for Burghs give in their whole Lists to the Collector of  
Supply of the Shire whereof they are apart, to be by them Registrat: And to the effect the Commissioners of the shire may inspect and see how the same are made and managed. And  
lastly, It is declared, that the foresaid Sub-Collectors and Collectors shall have power to exact the doubles and quadruples, in case of failzie, either by omitting, wrong up-giving, not pay-  
ment, or otherwise, conform to the said Act of Parliament, in which doubles and quadruples in the cases foresaid, the foresaid Sub-Commissioners for Paroches, and Commissioners for  
Shires, are hereby empowered to decern the persons failziing, and to direct Execution against them in all points, conform to the Act of Parliament. OUR WILL IS HEREOF, and  
We charge you strictly, and command that incontinent, these Our Letters seen, ye pass to the Mercat-Cross of Edinburgh, and to the Mercat-Crosses of the remanent Head Burghs of the  
several Shires and Stewartries within this Our ancient Kingdom, and there by open Proclamation, make Intimation hereof, that none may pretend ignorance. And ordains these presents to  
be Printed. Given under Our Signet at Edinburgh, the Twenty seventh day of July, and of Our Reign the Seventh Year, 1695.

*Per Actum Dominorum Secreti Concilii,*

GILB. ELIOT, *Clr. Sti. Concilii,*

## GOD Save the KING.





# APROCLAMATION

*For Adjourning the Parliament, to the Twentieth of  
March next, 1696.*



WILLIAM by the Grace of God King of great Britain, France and Ireland, Defender of the Faith, to our Lyon King at Arms and his Brethren Heralds, Macears of Our Privy Council, Pursuivants, Messengers at Arms, Our Sheriffs in that part, Conjunctly and Severally, Specially Constitute, Greeting; Forasmuch as by the last Act of the fifth Session of this Our Current Parliament, the same is adjourned to the seventh day of November, then next to come, now Instant: And our Affairs not requiring a Meeting thereof at that time, We have thought fit that the Adjournment thereof shall be continued from the said day to the Twentieth Day of March next to come, Therefore, We with Advice of the Lords of Our Privy Council, do hereby Adjourn Our said Current Parliament, unto the said Twentieth Day of March next Ensuing the Date hereof: Requiring all the Members of Our said Parliament to attend that Day in the usual way, and under the Certifications contained in the several Acts of Parliament made thereanent. OUR WILL IS HEREOF, and We Charge you strictly, and Command, that Incontinent, these Our Letters seen, ye pass to the Mercat Cross of Edinburgh, and to the Mercat Crosses of the remanent Head Burghs of the several Shires of this Our Ancient Kingdom; And there by open Proclamation make Intimation, that Our said Parliament of this Kingdom is Adjourned to the said Twentieth Day of March next to come And Ordains these Presents to be Printed. Given under Our Signet at Edinburgh the Fifth Day of November, and of Our Reign the Seventh Year.

*Per Actum Dominorum Secreti Concilii.  
GILB. ELIOT, Cls. Sti. Concilii.*

## GOD Save the KING.

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Edinburgh, Printed by the Heirs and Successors of Andrew Anderson, Printer to the Kings Most Excellent Majesty, 1695.





# A PROCLAMATION,

*Prorogating the Dyets of giving in Lists of Poleable Persons, and payment of their Pole-money, and prescribing Methods for the exactness and perfecting of the same.*



WE WILL by the Grace of God, King of great Britain, France and Ireland, Defender of the Faith, To Macers of Our Privy Council, Messengers at Arms, Our Sheriffs in that part, Conjurably and Severally, specially, Constitute. Greeting; Forasmuch as, by the Act of Parliament one thousand six hundred and ninety five years anent the Pole-money, and former Proclamations and Orders of Our Privy Council thereanent, several days were prefix for sending in from the several Shires of this Kingdom to the Clerk of our Thesaury Abstracts of the Lists and Rolls made up within the respective Sub-divisions of the saids Shires; Nevertheless the saids Abstracts are either wholly neglected, or sent in so defective and lame, that no distinct Charge can be formed thereupon, either against the Collectors of the Shires, or Paroch Collectors, or these lyable in payment of the said Pole-money, in so far as in several of the saids Books and Lists there are no Sums drawn out upon either the Stock, or Rent, or Characters, and Conditions of the persons Poleable, and the Fees of Servants are condescended on only for half a year, whereas the Master is lyable for the whole years Pole out of the half years Fee, and some condescends upon Persons Merchandizing, and Exercising Trades, and keeping Servants, and yet bears them not able to pay Pole, and the general Pole of six pence is not adjoined to the particular Pole, and the valued Rent is not divided amongst the Tennents conform to their Possessions but charged *in cumulo*, and that there are several other Defects and Omissions in the saids Books, for Remedy whereof, and for perfecting the Lists and Rolls of the poleable persons within the several Shires of this Kingdom; and for Rectifying and Amending the several Defects and Mistakes above-written, and to the effect the Pole-money may be fully and exactly gathered up according to the perfected Lists, We with Advice of the Lords of Our Privy Council have thought fit to prorogate and continue the days for compleating the saids Lists and Rolls, and paying in the Pole-money due by the several Leidges of this our Kingdom until the Fifteenth day of January next to come for all upon this side of Tay, except Perth Shire, and to the first day of February for Perth-shire and all beyond Tay, hereby Requiring and Commanding the Collectors of Supply within the several Shires of this Kingdom, betwixt and the days respective foresaid, to make up exact and compleat Lists of all persons Poleable within their respective Shires, in the Terms of the Act of Parliament anent the Pole-money, who may be either altogether omitted, or not Inrolled to their just Avail by the Sub-Collectors of the respective Divisions and Paroches within the several Shires, for which the saids Collectors of Supply are allowed to retain five per Cent, in their own hands, out of the Pole-money which shall be Collected by them from the persons either omitted or not duly Inrolled as said is: And likewise we hereby Require & command the saids Collectors of Supply betwixt and the days respective foresaid to go through every Paroch within their respective Shires, and there revise and examine the Lists and Rolls given in to them by the Collectors of the several Sub-divisions and Paroches, and make Tryal of the samen that they be full and exact, and to make use of the Assistance of the Elders, and Examination Rolls of every Paroch, and if need beis to Execute our former Letters of Horning granted to them for that Effect, and to do all other Diligence allowed by our Laws for perfecting and compleating the saids Lists and Rolls betwixt and the days foresaid: And the saids Respective Collectors of Supply within the several Shires are hereby allowed to retain in their own hands two per Cent, of the whole Pole-money Collected and Uplifted within the respective Shires for their pains and Travell in the Premises and that by and attour the Allowance granted to them by this and our former Proclamations and Orders: And We with Advice foresaid, Require and Command all and every one of our Subjects lyable in payment of the Pole-money contained in the foresaid Act of Parliament to make due and compleat payment thereof to the respective Collectors appointed for that Effect betwixt and the days respective abovementioned, with Certification whoever shall be found deficient thereafter shall be lyable in the Quadruple of their Pole-money which we hereby Ordain to be exacted without any Abatement, ease, or delay; & we with Advice foresaid Require & Command the several Collectors of Supply within this Kingdom to make report of their diligence, by sending in exact and compleat Abstracts of the Lists and Rolls of the Poleable Persons within their Bounds to the Clerk of Our Thesaury: And likewise by paying in the whole Pole-money Collected and Received by them, betwixt and the days respective above-mentioned, as they will be answerable. And to the effect We may be informed of, and understand if there be any neglect, connivance, or omission in any of the Collectors of Supply within the several Shires, in the punctual observance and execution of the premises, We, with advice and consent foresaid, command the Sheriff-Deputes within the several Shires of this Kingdom, betwixt and the Fifteenth day of February next to come, for all upon the South-side of Tay, except Perth-shire; And for Perth-shire, and all be-north Tay betwixt and the First day of March thereafter, to Supervise and Examine the diligence used by the Collectors of Supply within the saids respective Shires, and to make up Rolls of all persons he shall discover, either to be altogether omitted, and not given up in List, or not Inrolled to the just avail of their Pole, or who have not made payment of the Pole-money due by them, and to exact and lift the quadruple of the Pole-money wherein any of the saids persons are lyable, whereof they shall retain the one half to themselves, and make payment to Us of the other half, betwixt and the days last above-mentioned, as they will be answerable. OUR WILL IS HEREFOR, and We Charge you strictly, and command that incontinent thir Our Letters seen, ye pass to the Mercat-Cross of Edinburgh, and remanent Mercat-Crosses of the Head Burghs of the several Shires and Stewartries within this Kingdom, and there in Our Name and Authority make publick Intimation of the premises, that none pretend ignorance.

*Given under Our Signet at Edinburgh, the Nineteenth day of December, and of Our Reign the Seventh Year, 1695.*

*Ex Deliberatione Dominorum Sti. Concilij.  
GILB. ELIOT Cls. Sti. Concilij.*

GOD Save the KING.



Memorial Humbly presented  
TO  
**HIS GRACE**  
HIS MAJESTIES  
**COMMISSIONER,**  
And the Right Honourable the Estates  
of Parliament.

By the Administrators of *Heriot's* Hospital  
in behalf of the Poor thereof.

**T**HAT it is nottourly known how large and Rich a Dotation *George Heriot* made for Founding and Entertaning of the said Hospital which yet through the various Accidents and Misfortunes was for a time so Improsperous, That in the year 1658 when it was brought to a settlement, it was only able to Maintain sixty poor Children.

That since that time, throw the care of the Magistrates and Ministers of *Edin-burgh* its Administrators, the Revenue thereof hath been so well improven, that at present it Intertaineth One Hundred and Thirty Children, and is still on the growing hand, whereby it is become a most profitable Foundation as well as an Ornament to the Nation.

And seing in all Nations for the Incouragement of such Pious Works, Hospitals are freed of all Impositions: And that it would be a singular Advantage, tho' in it felt a small matter, to the poor of *Heriot's* Hospital to be free of all Excise and other Impositions laid on or to be laid on, on Drinking Bear and Ale consumed by the poor within the said Hospital: The present Annexed Excise of the Liquors Consumed therein not exceeding Ten pound Sterling *per Annum*.

*May it therefore please this High and Honourable Court, To grant to the said Hospital and poor thereof, an Exemption from the said Excise and Imposition laid on or to be laid on, and to ordain the same to be Insert in any Act that shall be made for hereafter about the same.*



# A NEW SONG

OF THE

*French* KING'S Fear

OF AN

## ORANGE.

### *The Second Part.*

OF a Hectoring *Bully*  
 Dear Muse, let us sing,  
 (Or to speak one's mind fully)  
 O'th' *Most Christian* King;  
 Who subdues Men by Huffing,  
 And converts Men by Cuffing,  
 Yet he fears if an *Orange* approaches too nigh,  
 The gay Flower-de-luces will wither and dye.

He's Son to a Chast Queen,  
 'Tho' (if Authors don't lye,) *Mazeline*  
 The devout *Mazeline*  
 Had a Finger i'th' *Pye*,  
 To mould a Church *Hero*  
 More fierce than a *Nero*,  
 Who yet fears if an *Orange* approaches too nigh,  
 His gay Flower-de-luces will wither and dye.

While he's scaring his Neighbours  
 With swelling *Bravadoes*,  
 We but laugh at his Vapours  
 And *Rhodomantadoes*,  
 Tho' Monsieur le *Dauphin*  
 Do's New Conquests begin,  
 Yet they dread if an *Orange* approaches too nigh,  
 The gay Flower-de-luces will wither and dye.

The Prodigious Advance  
 That the Prince here has made,  
 Makes an Earth-quake in *France*  
 And great *Lewis* afraid;  
*La Chuse* his Address  
 And the Jesuites *Finesse*  
 Can't hinder an *Orange* from approaching so nigh,  
 That the gay Flower-de-luces will wither and dye.

If a Fury Poetick  
 Foreknows things to come,  
 I may dare be Prophetick,  
 And foretell his just doom,  
 Besides old *Nastredame*  
 Has Predicted the same,  
 That if once the brave *Orange* approaches too nigh,  
 The gay Flower-de-luces will wither and dye.

'Tis a sport to our Prince  
 To bridle up a King,  
 Tho' the Beast kick and wince  
 His firm Rider to sling,  
 He'll make him Curvet,  
 And so steadily sit,  
 That an *Orange* once planted upon the *French* shore,  
 The gay Flower-de-luces shall flourish no more.

Help, Help, some kind Saint,  
 Holy Churches *Two* Sons;  
 Help, thou Church Militant  
 Of Converting Dragoons;  
 Shall *Lewis* Victorious,  
 Shall *Lewis* the Glorious  
 See an *Orange* transplanted upon the *French* shore,  
 And the gay Flower-de-luces now flourish no more?

Good *Cesar* compound,  
 Do but Trust me once more;  
 If I'm Treacherous found,  
 I'm a Son of Whore;  
 Let us *En Bonne foy*  
 Our Joy'n'd Forces employ,  
 To stave of an *Orange* quite from the *French* shore,  
 Lest the gay Flower-de-luces should flourish no more.

'Tis a Cursed ill thing,  
 Makes me rave and run mad;  
 If I were not a King  
 I'd my self fight *I-gad*;  
 Besides riding will Pain o  
 My Bag-pige *in ano*;  
 Must an *Orange* be planted then on the *French* shore,  
 And my gay Flower-de-luces now flourish no more?

The wild Worm in my Tail  
 My Vigour all drains,  
 Through its winding *Canale*  
 I've voyded my Brains;  
 And these dama'd Hieretiques  
 Have fool'd my Politiques,  
 For an *Orange* once planted upon the *French* shore,  
 My gay Flower-de-luces will flourish no more.

F I N I S

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**Unto His Grace, His MAJESTIES High Commis-  
sioner, and Honourable Members of the High  
Court of PARLIAMENT.**

*The Petition of Mr. Roderick M'kenzie, Advocat,*

*Humbly sheweth,*

**T**hat where your Petitioner is informed, that Your Grace and Lordships are taking under your Consideration and Cognition, all the Forefaultures that have past in this Kingdom since the year 1665. in order to Rescind such as are unjust, and against Law.

*John Binning of Dalvennan* being Forefault upon evident Probation, for being in Arms at *Bothwel-Bridge, Irving, and Glasgow*, the year 1679. for which he fled to *Ireland*.

*Mr. James Gordon* a *Presbyterian* Minister, his Father-in-Law, and former Curator, who had managed his Affairs for several years before, did come over here from *Ireland*, to use all means to procure the Gift of the said Forefaulture from His Majesties Exchequer; But finding that it could not be obtained, without advancing of the Price appointed by the Exchequer: And *Matthew Colvill* a Writer in *Edinburgh*, who was *John Binnings* stated Enemy, and a considerable Creditor, being in Competition for it at the time, and designing to Inhance it for his own advantage; the said *Mr. James* did importune your Petitioner; to lend him as much Money as might pay the Price of the Land to the Exchequer, and Exped the Right under the Great Seal; which after much Solicitation was lent accordingly, and the said *Mr. James* took the Gift in his Daughter *Fean Gordons* name, whereupon she stands Infeft.

Sometime thereafter, Your Petitioner having Required his Money, They Endeavoured to make Sale of the Land, to some of the said *John Binnings* Creditors; But that Course proving Ineffectual, they took pains upon your Petitioner to Buy it himself, assuring him, that there was no other way for his Payment, and that it was *John Binnings* desire it should be so.

And it being Evident, that there was more Debt upon the Land than it was worth, and your Petitioner giving Credit to the said Master *James Gordon*, both for Respect to his Relation and Function, and not being safe to Correspond with *John Binning* himself, I did, by the Deceast *Sir George Lockhart's* Advice, take a Right of the saids Lands, both from the said *Jean Gordon*, and the said Master *James* her Father; and likewise a Separat and Distinct Right of the same Lands, from *Robert Boyd of Trochrig*, to whom the said *John Binning* had sold the same before, and delivered the Evidents thereof, for which I am ready to Instruct *scripto*, that I have payed to them, and *John Binnings* Creditors, conform to his Bonds, and Obligations, more than the Value of the Lands.

The Rental of which Lands is but Eight Hundred Merks Yearly, and for which I have payed up-wards of Eighteen Thousand Merks, which I behoved do, or loss the Money that was owing me.

And seeing Your Petitioner did not Procure the said *John Binnings* Forefaulture, nor did so much as know of it, and that I am a Singular Successor for more than *adequat onerous Causes*, and did Act *bona fide*, conform to the Laws of the Kingdom, and at the desire of *John Binnings* own near Friends, with all the Ingenuity Imaginable, and has payed to them, and to his Creditors, far more than the Value of the Lands.

May it therefore please Your Grace, and Lordships, to Sustain the said Forefaulture, and to Except the same from the General Case, as being in Singular, and most favourable Circumstances; and to allow Your Petitioner to Retain the Lands, ay and while I be Refounded, of what Money I payed out upon the accompt thereof.



**To His Grace, His Majesties High Commissioner, and to the  
Right Honourable, the Estates of Parliament,**

*The humble Address of the Presbyterian Ministers, and Professors of the  
Church of SCOTLAND,*

*Sheweth,*

**T**Hat as we cannot but acknowledge and adore the holy and righteous Dispensation of the Lord, in all the great and long continued afflictions, wherewith he hath afflicted us for our sins; so we are not a little filled with admiration at the great and wonderful Providence of our most gracious God; *who alone doth great wonders, for his mercy endureth forever,* That at such a time, when our strength was gone, and there was none to deliver, He mercifully stirred up that Pious and Magnanimous Prince *William*, then Prince of *Orange*, now, by the good Hand of God, our Gracious Sovereign, to Espouse the Interest of the Protestant Religion, and of the afflicted Ministers and Professors thereof in these Kingdoms, and hath blessed him in so Heroick and Noble an undertaking with agreeable success: As also, hath raised up your Lordships, our most Noble and Honourable Patriots, to joyn heartily with His Majesty, in appearing zealously for securing of the Protestant Religion in this Kingdom, and for what may tend to the better establishment thereof in all its concerns; And in evidencing your just Indignation against the corruptions of Church and State, in your Lordships Claim of Right: And particularly, by freeing us of the Yoke of Prelacy, and of the undue Power, and Ecclesiastical Supremacy in Church-matters, formerly established in the Supreme Magistrat. And as these your Lordships zealous beginnings of appearing for the interest of the Protestant Religion & Professors thereof, have been, and are great matter of joy to our Hearts, and of blessing and magnifying our Lord and Master in your Lordships behalf; So they are a Door of Hope to us, and to all that love the true reformed Protestant Religion in this Land; That his Grace, *His Majesties High Commissioner*, and this honourable Court of Parliament, will in your Station, go on zealously in your begun Work of purging this poor oppressed Church, from all Corruptions brought into it, by Ambitious and Covetous Church-men, *who sought their own things, but not the things of Jesus Christ*; and from all the sad Consequences, which have followed upon the Erecting of Prelacy; Such as were, the driving several hundreds of Ministers, all at onetime, out of their Churches, without either Accusation or Citation, and the filling of their places with Ignorant and Scandalous persons; (which His Majesty is graciously pleased to notice in His Declaration for *Scotland*, as an occasion of all this poor Churches miseries, and from which intupportable Sufferings, He Declared His resolution to relieve and rescue us) And we may add, with many also erroneous, and unsound in the Faith, enemies to the Reformation, and who have now appeared disaffected to the present Civil Government; As also the framing of a numerous Train of severe Laws, severely executed both on Ministers and people of all Degrees, so far that even while *we were counted and treated as sheep for the slaughter*, we might not Petition nor Complain, without rendering our selves highly Criminal by the Laws and Acts then made. All which, we hope, The Commissioner His Grace, and your Lordships in this present Parliament, will take to your serious Consideration, and will free this poor oppressed Church from such Oppressors and Oppressions, and settle it again upon the right Foundations of Government and Discipline, agreeable to the Word of God, and established in this Church by Law, near an hundred years ago. Which settlement, we are confident, will prove the best Remedy of all our otherways incurable Distractions, and the mean of quieting and uniting the whole Countrey, in a joynt and firm opposition against all His Majesties, and your Lordships enemies.

A

We

We, therefore *His Majesties* most Loyal Subjects, and your Lordships most humble and dutiful Servants in Christ, Humbly beseech, The Commissioner his Grace, and the Honourable Estates of Parliament, Seing the King's *Majesty* hath Declared, and your Lordships with him, have Zealously Appeared for the Protestant Religion, You would be Graciously pleased, by your Civil Sanction, to Establish and Ratifie the late Confession of Faith, with the Larger and Shorter Catechisms, (which contain the Summ and Substance of the Doctrine of the Reformed Churches) The Directory of Worship, and Presbyterial Church-Government and Discipline, all agreeable to the Word of GOD, and formerly Received by the General Consent of this Nation. And seing Prelacy, and all who have entered under Prelacy, have been Imposed upon the Church, without her Consent, in any of her Free General Assemblies, and that Presbyterial Government, cannot be Secure in the Hands of them, who are of contrary Principles; Therefore we humbly Petition, That the Church-Government may be Established in the Hands of such only, who, by their former Carriage, and Sufferings, have evidenced, that they are known sound Presbyterians, and well affected to *His Majesty's* Government; or who, hereafter shall be found to be such, (which we are hopeful, by the Grace of God, shall be managed with such Christian Prudence, Moderation and Tenderness, as shall leave no Just Matter of Complaint to any) And that not only these Ministers yet alive, who were unjustly thrust from their Churches, may be Restored thereto, and these Parishes and Flocks, at that time, no less violently Imposed upon, may be freed from Intruders; But also, all other Presbyterian Ministers, who either are already, or may be, by respective Flocks orderly called hereafter, may have access to be settled in Churches, after the Presbyterian way, as they shall be Ecclesiastically approved and Appointed, and may have your Lordships Civil Sanction added thereunto.

And we also Request, that the Church thus Established, may be allowed by your Lordships Civil Sanction, to Appoint Visitations for Purging out Insufficient, Negligent, Scandalous, and Erroneous Ministers. And seing Patronages, which had their Rise in the most Corrupt and Latter Times of Antichristianism, have always been a great Grievance to this Church, as the Source and Fountain of a Corrupt Ministry, That these may be Abolished, And that the Church may be Established upon its former Good Foundations, Confirmed by many *Acts of Parliament*, since the year one thousand five hundred and sixty. And that all *Acts* contrair to this Government, that Ratifie Ceremonies, and Impose Punishments on Presbyterians, for Non-conformity, and for Worshipping GOD according to their Principles, may be Abrogat. And as a good and necessary Mean, for preserving the Purity of the Church, your Lordships take Care, that Learned, Sound, and Godly Men be put in Universities, and Seminaries of Learning (humbly submitting to your Lordships Wisdom, the Method of Considering, and Effectuating these our desires.) Thus all things being done for the House of the God of Heaven, according to the Commandment of the God of Heaven, by your Lordships pious and wise managing these Affairs of the Church of Christ, This Poor long oppressed and tossed Church, may at length, through God's Blessing, Arrive at a safe and quiet Harbour, And the True Honour and Happiness of *His Majesty*, and your Lordships, as the signal Nursing Fathers of the Church of Christ in this Land, may be advanced, and continued to future Generations; And so the Blessing of the Church that was ready to perish, may remain still upon *His Majesty*, and your Lordships.

*And your Lordships Petitioners shall ever pray, that God may bless and protect the Persons of Their Majesties KING WILLIAM and QUEEN MARY, long to Rule, and Govern this Nation, and your LORDSHIPS under them.*



*Edin. Scotland - Laws, etc. III. - William III.* 49

# A PROCLAMATION

*Discharging Correspondence and Commerce with France.*



WILLIAM by the Grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, To

Macers of Our Privy Council, Messengers at Arms, Our Sheriffs in that part, conjunctly and severally, specially Constitute; Greeting, Forasmuch as, albeit the Corresponding and keeping Commerce with our Enemies, against whom we are now in a State of War, is Discharged by several Laws and Acts of Parliament under the pain of Treason, and particularly by the eight Act of the third Session of this Our Current Parliament, all our Subjects are expressly Discharged to go to the Kingdom of France, or any of the Dominions subject to the French King, after the first Day of June one thousand six hundred and ninety three years, or being already in the said Kingdom of France, or Countries foresaid to stay or abide therein after the first day of August in the said year, without express Leave from Us, or the Lords of Our Privy Council, under the pain of Treason; yet sundrie of Our Subjects presume to have Commerce, and to Correspond and keep Intelligence with Persons Residing in the said Kingdom of France, now in a State of War with Us, or Dominions thereto belonging, without Authority foresaid: Therefore, and to the effect, Our Subjects may know their Danger in the Premises, if they shall for hereafter Transgress in manner foresaid; We with Advice of the Lords of Our Privy Council, do strictly Prohibit and Discharge all and every one of Our Subjects within this Our Antient Kingdom to Correspond, keep Intelligence, or have any Commerce whatsoever with the said Kingdom of France, or Persons Residing within the same, or Dominions belonging to the French King, without Authority foresaid, under the Pain of being Punished as Corresponders with Declared Traitors, to the utmost Rigor; Declaring hereby that this shall be without Prejudice of any former Acts made against Treason, or Treasonable Correspondencies, or the Punishment of such as have already incurred the Pains thereof. Our Will Is Herefore, and We Charge you strictly, and Command, that incontinent, thir Our Letters seen, ye pass to the Mercat Cross of Edinburgh, and remanent Mercat Crosses of the Head-burghs of the several Shires and Stewartries within this Our Kingdom; and there in Our Name and Authority by open Proclamation, make Intimation hereof, that none may pretend Ignorance.

*Given under Our Signet at Edinburgh, the Twenty first day of January, and of Our Reign the Seventh year, 1696.*

*Per Actum Dominorum Secreti Concilii.*

GILB. ELIOT *Clk. Sti. Concilii.*

## GOD Save the King.

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Edinburgh, Printed by the Heirs and Successors of Andrew Anderson, Printer to the Kings Most Excellent Majesty, 1696.

# A PROCLAMATION

*For a Solemn Day of Humiliation.*



**W**ILLIAM by the grace of God, King of Great-Britain, France and Ireland, Defender of the Faith, To Macers of Our Privy Council, Messengers at Arms, Our Sheriffs in that part, Conjunctly & Severally, Specially, Constitute, Greeting: For as much as We and Our People have just reason to apprehend the severest Judgments of Almighty God, whose Clemency and Goodness We have abused to his dishonour; which Consideration hath also moved the Commission of the late General Assembly to Address the Lords of Our Privy Council; That a Day of Humiliation may be appointed and kept for these Causes; Therefore We with Advice of the Lords of Our Privy Council Command and Appoint a Day of solemn Humiliation and Prayer to be observed throughout the whole Kingdom upon the Days following, *viz.* within the town of *Edinburgh, Leith, Cannongate,* and the Paroch of *West Kirk* upon the Lords Day next, the fifteenth Day of *March* Current; and in all the rest of the Paroch-Churches upon this side of *Tay* upon the Lords Day the twenty second Day of the said Month of *March*; and in all the other Paroch-Churches within this Kingdom upon the Lords Day being the twenty ninth Day of the said Month of *March*. Upon which Days of solemn Humiliation and Prayer respective foresaids, We and Our People are to express our deep sense of Our Ingratitude for Our former Deliverances, and Our grateful Acknowledgements of the signal Providence of God, in Discovering and Defeating the Treacherous Attempts on Our Royal Person; and to deprecate the Wrath of God, and implore his Assistance against all Forraign Invasion, and intestine Commotions, which Days respective foresaids, We with Advice of the Lords of Our Privy Council, Require and Command to be Religiously and Seriously observed by all ranks and degrees of People, by Preaching and other acts of Devotion to be done and performed in all the Churches of this Kingdom, upon the occasion and for the Causes foresaids. OUR WILL IS HEREOF, and We Charge you strictly and Command, That incontinent, thir Our Letters seen, ye pass to the Mercat-Cross of *Edinburgh*, and remanent Mercat-Crosses of the haill Head burghs of the several Shires and Stewartries within this Kingdom, and there in Our Name and Authority make intimation hereof, that none pretend Ignorance: And appoints Our Soliciter to transmit Printed Copies hereof to the Sheriff and Stewart Clerks of the haill Sherifffdoms and Stewartries within this Kingdom with Coppies to be transmitted by the said Sheriff and Stewart Clerks to the Ministers of the several Paroches within their bounds; And Ordains this Proclamation to be Intimat in the Paroch Churches of *Edinburgh, Cannongate, Leith,* and *West-Kirk* upon *Thursday* next; And Ordains the Magistrates of *Edinburgh, Cannongate, Leith,* and *West-port* to make Intimation of the same within their respective Bounds, by beating of Drums in these Places upon *Fryday* next; And Ordains the Sheriff and Stewart Clerks of all other Places within this Kingdom to cause publish this Proclamation at the respective Mercat-Crosses within their Bounds, and the Ministers to cause Read the same at their Paroch-Churches upon the Lords Day immediatly preceeding the Days Above-appointed; And Ordains these presents to be Printed.

*Given under Our Signet at Edinburgh the tenth day of March, and of Our Reign the seventh Year 1696.*

*Per actum Dominorum Secreti Concilii.  
GILB. ELIOT. Cts. Sti. Concilii*

GOD SAVE THE KING.





# A PROCLAMATION

*Adjourning the Parliament from the 20 day of March instant, to the 21st day of July next.*



WILLIAM By the Grace of God, King of Great Britain, France and Ireland, Defender of the Faith: To Our Lyon King at Arms, and his Brethren Heralds, Macers of Our Privy Council, Pursevants, Messengers at Arms; Our Sheriffs in that part, Conjunctly and severally, specially Constitute, Greeting, Forasmuch as, We by Our Proclamation of the Date the Fifth day of November last by past, with Advice of the Lords of Our Privy Council, did Adjourn the Currant Parliament of this Our ancient Kingdom, to the Twentieth day of March then next to come, now Instant. And whereas the present State of Our Affairs, does not require the Meeting of Our Parliament on the said Twenty day of March Instant, to which it was Adjourned: And We being desirous to prevent the unnecessary Attendance of the Members thereof on the said Twenty day of March Instant. Therefore, We with Advice of the Lords of Our Privy Council, do hereby Adjourn Our said Currant Parliament, unto the Twenty first day of July next ensuing the Date hereof, Requiring all the Members of Our said Parliament, to Attend that Day in the usual way; and under the Certifications contained in the several Acts of Parliament made thereanent. Our Will is Herefore, and We Charge you strictly, and Command, that incontinent these Our Letters seen, ye pass to the Mercat Cross of Edinburgh, and to the Mercat Crosses of the remanent Head-Burghs of the severall Shires and Stewartries of this Our ancient Kingdom, And there by open Proclamation, make Intimation that Our said Parliament is Adjourned to the said Twenty first day of July next to come, And Ordains these Presents to be Printed:

*Given under Our Signet at Edinburgh, the Sixteenth day of March, and of Our Reign the Seventh year, 1696.*

*Per Actum Dominorum Secreti Concilii.*  
GILB. ELIOT, Cls. Sti. Concilii.

## GOD Save the King.

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*Edinburgh, Printed by the Heirs and Successors of Andrew Anderson, Printer to the Kings Most Excellent Majesty, 1696.*





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# PROCLAMATION

*Appointing Twenty Shilling to be Payed for every Boll of Foreign Victual that shall be Imported.*



WILLIAM By the Grace of GOD, King of Great-Britain, France and Ireland, Defender of the Faith, To  
Macers of Our  
Privy Council, Messengers at Arms, Our Sheriffs in that Part Conjunctly and Severally, Specially, Constitute Greetings;  
For as much as, by sundry Acts of the Lords of Our Privy Council, and Proclamations formerly emitted by Us; Foreign  
Victual was Allowed to be Imported for Relief of the Poor during the Space therein mentioned, like as, in consideration  
of the continuing Dearth of Victual in several places of this Kingdom, and of the Want and Distress many of Our good  
Subjects Ly under there-through; And that the Unseasonableness of the Weather Threatning a Late Harvest may make  
the Straits and Wants of many, especially of the Poorer sort, Insupportable before they can be Relieved by the present Crompt  
We have resolved, to give all Incouragement to any who shall Import Victual to this Kingdom from any Foreign Country during the Space after-  
mentioned. THEREFORE, We with Advice of the Lords of Our Privy Council, Do hereby Grant License, and full Liberty to all Persons what-  
soever, Foreigners or Natives, to Import Victual or Corns of all Sorts, either by Sea or by Land from any other Kingdom or Country whatsoe-  
ver, until the first Day of October next to come, and that Free of Custom, Excise, or other Imposition for all that shall be Imported after the Day  
and Date hereof During the Time foresaid; And Recommends it to the Commissioners of Our Treasury to Discharge the Exacting of any  
such Custom, Excise, or Imposition for the said Victual so to be Imported, notwithstanding of any Act of Parliament, or Book of Rates Impos-  
ing the same; And for a farther Encouragement, and Invitation to all such who shall Import and Bring into this Kingdom, either by Sea or  
Land betwixt and the Day foresaid, Victual or Corn of any Sort, except Malt, We with Advice of the Lords of Our Privy Council, Do hereby Ap-  
point, and Ordain the Sum of Twenty Shilling Scots for Each Boll of the said Foreign Victual (Excepting as said is) to be Imported after the Day  
and Date hereof, and betwixt and the said first of October, to be Given and Payed out of Our Customs to the Importer thereof, upon his Oath  
of Verity, of the Number of Bolles Imported by him, taken in presence of any of the Sheriffs of the several Shires of this Kingdom, Baillies of Bailliaries or  
Regalities, Stewards of the Stewartries or their Respective Deputs Magistrates of Burghs, or any of the Commissioners of Supply, or Justices of Peace  
within the same, and Subscribed with his hand, and Attested by the foresaid Judges, and also by the Collector of the next Adjacent Custom-House;  
And of which Twenty Shilling Scots, We with Advice foresaid Require and Command the Tacksmen and Farmers of Our Customs, and their Col-  
lectors and other Receivers at the respective Custom-Houses, to make present and immediate Payment for Each Boll of Foreign Victual Imported  
by Sea or Land to the Importer thereof, upon his Receipt to be given upon the Back of the foresaid Subscribed Oath of the Number of Bolles  
Imported; And which Receipt We with Advice foresaid Declare, shall be a Sufficient exoneration to the saids Tacksmen and Farmers of Our Cu-  
stoms and their Collectors of their said Tack-Duty, and be Allowed to them in the Fore-end thereof *pro tanto*, Certifying such of the saids Collectors,  
or other Persons Employed to Receive Money at the respective Custom-Houses, by the Tacksmen and Farmers of Our saids Customs; That if they  
shall fail to make Due and punctual Payment of the said Twenty Shilling Scots for Each Boll of Imported Victual, (Excepting as said is) postpon  
or delay the Importers thereof in the ready Payment of the said Sum when the said Subscribed Oath and Receipt is offered to them, They shall  
not only be Declared, and *ipso facto* thereby become Incapable to Serve, or be Employed by Our saids Farmers in any Office or Trust under them  
in Uplifting our saids Customs, but be farther Lyable in what Penaltie and Damages to the Party, the Lords of Our Privy Council shall think  
fit to Inflict upon them. OUR WILL IS HEREOF, and We Charge you Strictly, and Command, that incontinent these Our Letters seen,  
ye pass to the Mercat-Cross of Edinburgh, and to the remnant Mercat-Crosses of the Head-Burghs of the several Shires and Stewartries within this  
Kingdom; And their in Our Name and Authority make Intimation hereof, that none pretend Ignorance: And Ordains these Presents to be Print-  
ed.

*Given under Our Signet at Edinburgh the Seventh Day of August, and of Our Reign the Eight Year.*

*Ex deliberatione Dominorum Secreti Concilii.*  
GILB. ELIOT *Cls. Sti. Concilii.*

## GOD Save the King.





# PROCLAMATION

*Adjourning the Parliament from August the 26th till  
September the 8th. 1696.*



**W**ILLIAM By the Grace of GOD, King of Great-Britain, France and Ireland, Defender of the Faith; To Our Lyon King at Arms, and his Brethren Heralds, Macers of Our Privy Council, Pursevants, Messengers at Arms, Our Sheriffs in that Part Conjunctly and Severally, Specially Constitute Greeting; For as much as, We by Our Proclamation of the Date, the Thirteen Day of *June* last by past, with Advice of the Lords of Our Privy Council, did Adjourn the Current Parliament of this Our ancient Kingdom, to the Twenty sixth Day of *August* then next to Come, now Instant: And whereas, the present State of Our Affairs doth not Require the Meeting of Our Parliament so soon as the said Day to which it is Adjourned. Therefore, We with Advice of the Lords of Our Privy Council, Do continue the said Adjournment from the said Day to the Eight Day of *September* next to Come: And being desirous to Prevent the unnecessary Trouble and Charges that the Members of Parliament may be put to, by Attending the said Twenty sixth Day of *August* Instant; Do hereby with Advice foresaid Adjourn Our said Current Parliament until the said Eight Day of *September* next to Come, at which time we are Resolved Our Parliament shall Meet at *Edinburgh*; And do therefore Expect, and Peremptorly require, that all Noblemen, & Commissioners of Shires and Burrows, and others Concerned, Attend the foresaid Day and Place under the Pains and Un-Laws contained in the Acts of Parliament against Absents from Parliament. OUR WILL IS HEREOFRE, And We Charge you Strictly, and Command, that Incontinent these Our Letters seen, ye pass to the Mercat Cross of *Edinburgh*, and to the Mercat-Crosses of remanent Head-Burghs of the several Shires and Stewartries of this Our ancient Kingdom; And there by open Proclamation, make Intimation that Our said Parliament is Adjourned to the said Eight Day of *September* next to Come. And Order is these presents to be Printed.

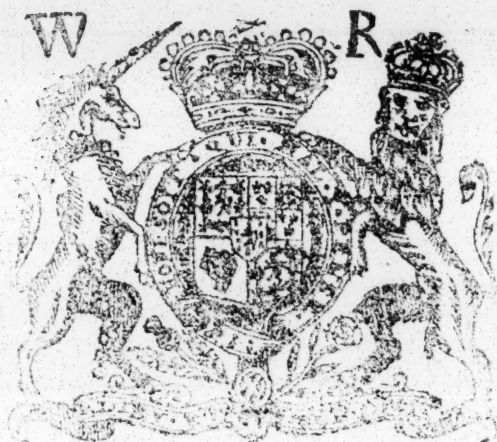
*Given under Our Signet at Edinburgh, the Thirteen Day of August, and of Our Reign the Eight Year. 1696.*

*Per Actum Dominorum Secreti Concilii.  
D. A. MONCRIEFF. Cls. Sti. Concilii.*

GOD Save the King.

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*Edinburgh, Printed by the Heirs and Successors of Andrew Anderson, Printer  
to His Most Excellent Majesty, Anno D<sup>o</sup> M. 1696.*



# A PROCLAMATION

*For Adjourning the Parliament.*

**W**ILLIAM By the Grace of GOD, King of Great Britain, France and Ireland, Defender of the Faith; To Our Lyons King at Arms, and his Brethren Heralds, Macers of Our Privy Council, Pursevants, Messengers at Arms Our Sheriffs in that part, conjunctly and severally, specially constitute, Greeting: Forasmuch as, by the last Act of the sixth Session of this Our present current Parliament, dated the twelfth day of *October* last by-past, Our said Parliament is Adjourned to the Eight day of *December* instant. And whereas the present state of Our Affairs does not require the meeting of Our Parliament so soon, as the said day, to which it was Adjourned: Therefore We, with advice of the Lords of Our Privy Council, do continue the Adjournment from the said Eight day of *December* instant, to the Eighteen day of *March* next to come: And being desirous to prevent the unnecessary trouble, and charges that the Members of Parliament may be put to, by attending the said Eight day of *December* instant, do hereby with Advice fore-said, Adjourn Our said current Parliament untill the said Eighteenth day of *March* next ensuing the date hereof. Requiring all the Members of Our said Parliament to attend that day in the usual way, and under the Certifications contained in the several Acts of Parliament made thereanent. **OUR WILL IS HEREOF,** And We charge you strictly, and Command That in continent these Our Letters seen, ye pass to the Mercat Cross of *Edinburgh*, and to the Mercat Crosses of the remanent Head-Burghs of the several Shyres and Stewartries of this Our Ancient Kingdom, and there by open Proclamation, make Intimation, that Our said Parliament is Adjourned to the said Eighteenth day of *March* next to come. And Ordains these presents to be Printed: Given under Our Signet at *Edinburgh* the third of *December*, and of Our Reign the eight year 1696.

*Per Actum Dominorum Secreti Concilii.*  
GILB. ELIOT, Cls. Sti. Concilii.

GOD save the KING.

*Edinburgh* Printed by the Heirs and Successors of *Andrew Anderson*, Printer to His Most Excellent Majesty, 1696.



# PROCLAMATION

Anent the Excise after the first of March next, 1699.



WILLIAM by the Grace of GOD, King of Great Britain, France and Ireland, Defender of the Faith; To

Masters of Our Privy Council, Messengers at Armes, Our Sheriffs in that part, Cons

junctionally and Severally, Specially Constituted Greeting; Forasmuch as, the Annexed Excise, as Converted by the Twenty Eight Act of the first Session of this current Parliament, from Two Merks upon the Boll of Malt, to an Excise of Three Pennies upon the Pint of all Ale and Beer Browen to be Vended and Sold with the Excises of other Liquors mentioned in the said Act, are now Set in Tack by the Lords of Our Thesaury and Exchequer, to William Menzies late Baillie of Edinburgh, and Alexander Wood Merchant there, for the space of Five years, to commence from the first of March next to come inclusive: And that the Lords of Our Privy Council are Authorized and Impowered to prescribe such Methods and Orders, besides these mentioned in the Acts of Parliament, as they shall judge necessary, for the better Uplifting and Lbringing of the saids Excises: Therefore, and for Determining all Differences that may arise betwixt the Brewers and the Tacksmen of the saids Excises, and their Sub-Tacksmen or Collectors, during the Space and Years of the foresaid Tack-

And for the due and timeous making of Entries of all Liquors Browen or Imported Lyable to the said Excise: We, with Advice of the Lords of Our Privy Council, Do, Require and Command the Commissioners of Supply of the several Shires within this Kingdom, Qualified according to Law, and residing within the Shire; And who by the said Act of Parliament are Appointed Commissioners of the saids Excise, to Meet at the Head-Burghs of the respective Shires, upon the first Tuesday of April next to come, and at their said Meeting, to Divide themselves as is prescribed by the said Act, and to Settle, and Appoint Places at convenient Distances, where the publick Excise-Offices may be best kept, for the Brewers and Retailers to Enter, and give up the Quantities of Liquors Browen and Retailled by them, lyable in Payment of the said Excises, and Appoints the saids Commissioners, immediately after Designing Places for the saids Offices, to cause make publick Intimation at all the Church Doors within the respective Shires of the particular Places designed by them for the several Excise-Offices, with Certification to the saids Commissioners or any of them residing within the saids respective Shires, who shall Failzie to meet the said first Tuesday of April next to come, and to Appoint and Design the particular Places for Excise-Offices in manner above-express, their Names shall be returned by their Clerks to the Lords of Our Privy Council, to the effect they may take such Course therewith as they shall see Cause: And We, with Advice foresaid, Require and Command the saids Commissioners to Meet the said first Tuesday of every Month thereafter, during the Continuance of the foresaid Tack, for the Ends prescribed, and set down in the Acts of Parliament: And We, with Advice foresaid, Require and Command the whole Brewers and Retailers within the Bounds allotted for the saids Excise-Offices, to Attend the Commissioners thereat, upon the said first Tuesday of April next, without any farther Charge, Citation or Intimation to them for that effect, but allannerly upon the Publication hereof; And there to Give in, and Make, and the saids Commissioners to Receive from them an true Account of their Names, place of Residence, and the Time when they did begin to Brew, what ever the Quantitie may be: And likewise, full and faithfull Entries of all Liquors Browen or Retailled by them, lyable in Payment of the saids Excises after the first Day of March next to come inclusive; Declaring hereby, and Certifying such Brewers and Retailers as shall not Compear and Attend the saids Commissioners the first Tuesday of every Month, for Giving up their Names, Places of Abode, and Time when they did begin to Brew; And for making Entry of the specific Quantities of all Liquors Browen and Retailled by them, lyable to Excise for the preceeding Month, they shall be holden as Confest, and Decrets given against them for the Quantities contained in the Claims and Complaints to be given in by the Tacksmen, or their Sub-Tacksmen or Collectors against them, providing nevertheless, that if the saids Brewers or Retailers holden as Confest, as said is, shall at any time within Three Months thereafter, Compear before any Two of the saids Commissioners, afterhaving made Intimation to the Tacksmen, or their foresaids, and there make Faith as above, and report a Certificat under the hands of the saids Commissioners, They shall be Reponed against the said Certification, upon punctual Payment of what they shall be found due. And We, with Advice foresaid, Appoint and Ordain, that no Brewer or Retailer within Burgh of Royalty, Regality or Barrony, Vend or Sell any part of their Browst, until first, they make Entry thereof at the Excise-Office there, (if any be) and obtain a Sufferance for the Quantities Browen, or upon their hand, which the Keeper of the Excise-Office is to give without delay Gratis; And that in case of none-entry, or spongius Entry, the Brewer or Retailer within Burgh, be lyable in the Sum of Ten Pounds Scots, toties quoties, and to all Execution competent for payment thereof. And it is hereby declared, that the saids Entries or Claims in Absence, may nevertheless be disproven before any Magistrate, Justice of Peace, or Commissioner of Excise, by Witnesses or Oath of Party, notwithstanding of any Survey made by the Surveyers and Waiters, Providing, the same be done within eight days thereafter; and that all Brewers Barrels be for ever after marked with their own name, and the Seal of the next Office, which shall be furnished to them gratis: As also that no Person who hath foreborn to Brew for the space mentioned in the Act one Thousand six Hundred & ninety three, shall begin unless they first get Licence from the Tacksmen foresaid, and that no Person presume to Refet any Ale or drinking Beer in their Houses, in order to the imbazling the Excise thereof, under the Pain of ten pounds toties quoties, to the foresaids Tacksmen their Sub-tacksmen or Collectors; And farther, that all Tapsters, and Venders of Ale and drinking Beer, shall from the said first day of March next inclusive, before they Tap or Vend the same first make Entry of what they have upon their hand, at the next Excise-Office of the bounds now in being, and at the same time take a Licence there: And in regard the Excise of strong Waters, Aquavity and Forraign Beer and Ale, is ordered by Act of Parliament to be payed by the Retailers; Therefore We with advice foresaid, Require and Command all Brewers of Aquavity or strong Waters, to make Monthly Entries of the quantities of strong Liquors Browen by them, and give in subscribed Lists to the next Excise-Office, of the names of the Persons to whom they Sell their Aquavity or strong Waters, to be again sold by Retail; As likewise that all Retailers of Brandy, forraign Aquavity and strong Waters, make the like Entries of what quantities of Brandy, Forraign Aquavity and strong Waters they have upon their hand unretailed the said first day of March, to the effect that they may be lyable for the Excise thereof, at six shilling per Pint: As also that the Collectors, Clerks, or Surveyers at Sea-ports, give up a particular account to the saids Tacksmen or their Sub-tacksmen and Collectors of the said Excise, of the quantities of Forraign strong Waters, Brandy and Forraign Beer and Ale, imported from time to time, and who is the Importer, that the said Importer may pay the Excise of Brandy conform to the Act of the Session of this current Parliament: As also that the said Merchant Importer, and all other Persons importing the said Forraign Aquavity and strong Waters, who pretend to Sell the foresaid Liquors in haill Sale, that is to say above a Pint, as the Act of Parliament hath determined, be lyable and obliged to give and deliver subscribed Lists to the saids Tacksmen, and their Sub-tacksmen or their Collectors, of the Persons names to whom they Sell the said strong Waters, or Forraign Beer or Ale, and of the quantities Sold to them, to the effect the Retailer may be lyable for the Excise thereof, and in case the saids Commissioners or at least two of them shall fail to meet, and attend the saids respective Excise Offices upon the said first Tuesday of April next to come, or upon the first Tuesday of any subsequent Month during the continuance of the said Tack, the whole division, and each of them residing within the said Shire under the Certification foresaid, and after Instruments taken against them of their Failzie; We with advice foresaid Require and Command the Sheriffs and their Deputis, or such as the saids Sheriffs or Deputis shall substitute to each particular Dyet for that effect allannerly, to repair to the saids respective Offices within three days after they shall be desired by the Tacksmen, or their Sub-tacksmen, or Collectors of the saids Excises, there Summarily to Judge upon what occurs within the bounds of that Office, in reference to the saids Excises, certifying the saids Sheriffs and their Deputis or Substituts, if they failzie: they shall be punished as the Lords of Our Privy Council shall think fit. And farther, We with advice foresaid, Prohibit and Discharge any of the Commissioners of Supply, or other inferior Judge or Officers of the Law within this Our Realm, to stop or hinder either Quartering, Poynding, Imprisoning, or any other lawful Execution that shall be used by Our Tacksmen, or their Sub-tacksmen, and Collectors of the saids Excises, against the respective Brewers and Retailers, conform to the Entries that shall be made by them, or according to the quantity of the Liquor Retailled by them, or whereupon they shall be holden as Confest in manner, and before the Judges above mentioned, except they crave to be Reponed within three Months in manner above provided, under the Pain of being not only lyable for the Charges and Damnges Our saids Tacksmen, their Sub-tacksmen and Collectors shall sustain and incur there through, but also to such further Pains, as the Lords of Our Privy Council shall think fit: And lastly, it is hereby declared, that all the Penalties toties quoties above mentioned, are not to be understood for every Delinquency or Fault, but allannerly for every Conviction, and the Transgressions to be therein found. OUR WILL IS HEREFOR, and We Charge you strictly and Command, that incontinent these Our Letters seen, ye pals to the Mercat-Cross of Edinburgh, and remanent Mercat-crosses of the whole head Burghs of the several Shires and Stewartries within this Kingdom, and there in Our name and Authority by open Proclamation, make Intimation hereof, that we pretend Ignorance, and Ordains printed Copies hereof to be sent to the Sheriffs of the several Shires and Stewarts of the Stewartries within this Kingdom, whom, and their Clerks, We Ordain to see the same Published, and Copies hereof Affixed at the said Mercat-crosses; and appoints them to send Doubles thereof to all the Ministers, both in Churches and Meeting-Houses within their respective Jurisdictions, that upon the Lords day immediately preceeding the said first Tuesday of April next, the same may be Read and Intimat in every Paroch Church and Meeting-house, and Copies of the same Affixed upon the most Publick Doors thereof; and Ordains these Presents to be Printed, Given under Our Signet at Edinburgh, the twenty third day of February, and of Our Reign the tenth year. 1699.

Per Actum Dominorum Secreti Concilii.  
GILB. ELIOT, Cls. Sti. Concilii.

G O D Save the King.





# A C T

*And INTIMATION anent this current Parliament 14 March, 1699*

**T**He Lords of His Majesties Privy Council considering, that His Majestie by His Proclamation, of the date the Twentieth of December last by past, hath Adjourned this current Parliament to this day, being the fourteenth day of March one Thousand six Hundred ninety nine years; and that His Majestie hath not as yet signified His Pleasure, either by sending a Commissioner for Holding thereof at this Day, nor his Royal Order for Adjourning the same to a further Day; And seeing both by the nature of the High Court of Parliament, and by express Acts of Parliament, Parliaments are current, without the necessity of a special continuation, until they be Dissolved by his Majesties particular Warrant, whose sole Prorogative it is to Dissolve, as well as to Call, Hold, and Prorogue the same: Therefore the saids Lords of His Majesties Privy Council, in expectation of His Majesties express Orders, and to prevent the unnecessary trouble of the Members, and other good Subjects, who may be concerned to repair to the Meeting of Parliament, have thought fit to ordain Intimation to be made, that all Members of Parliament be ready to Meet, and Attend in this present current Parliament, so soon as His Majesties Will and Pleasure shall be signified to them for that Effect: and that none may pretend Ignorance, Ordains these Presents to be Printed, and Published at the Mercat-Cross of Edinburgh, by the Lyon King at Arms and his Brethren, Heralds, and Pursevants, and at the Mercat-crosses of the Head-Burghs of the severall Shires within this Kingdom, by Macers, or Messengers at Arms.

*Per Actum Dominorum Secreti Concilii*

GILB. ELIOT, *Clk. Sti. Concilii.*

## G O D Save the King.

Edinburgh, Printed by the Heirs and Successors of Andrew Anderson, Printer to the Kings Most Excellent Majestie, Anno DO M. 1699.





# PROCLAMATION

*Adjourning the Parliament to the 14th of June next.*

**W**ILLIAM By the Grace of GOD, King of Great-Britain, France and Ireland, Defender of the Faith : To Our Lyon King at Arms, and his Brethren, Heraulds, Macers of Our Privy Council, Pursuivants, Messengers at Arms, Our Sheriffs in that Part, conjunctly and severally, specially Constituted, Greeting; Forasmuch as, by Our Proclamation of the Date the Twentieth day of December last by past, Our present current Parliament was Adjourned to the Fourteen day of March Instant; And whereas the present State of Our Affairs does not require the Meeting of Our Parliament, so soon as the said Day to which it was Adjourned. THEREFORE, We with Advice of the Lords of Our Privy Council, have Ordered, and hereby Order the Continuation of the Adjournment of Our said Parliament, to the Fourteenth day of June next to come : And that the Members of Our said Parliament, may not be put to unnecessary Trouble and Charges before that Time; We do hereby Order and Require all the Members of Our said current Parliament, to Attend the said Fourteen day of June next to come, at *Edinburgh* in the usual way, and under the Certifications contained in the several Acts of Parliament made thereanent. OUR WILL IS HEREFOR, and We charge you strictly, and Command that incontinent these Our Letters seen, ye pass to the Mercat Cross of *Edinburgh*, and to the Mercat Crosses of the Head Burghs of the several Shires, and Stewartries of this Our Ancient Kingdom, And there by open Proclamation, make Intimation that Our said Parliament is Adjourned to the said Fourteen day of June next to come. And Ordains these Presents to be Printed.

Given under Our Signet at *Edinburgh* the Twenty first day of March, and of Our Reign the Tenth year. 1699.

*Per Actum Dominorum Secreti Concilii.*

GILB. ELIOT *Cls. Sti. Concilii.*

# ACT

## *Anent the Pole-Money.*

Edinburgh, March 23. 1699.

**T**He Lords of His Majesties Privy Council, as being impowered by the Twelfth Act of the last Session of this current Parliament, Intituled *Anent Pole-money*, to Order and Appoint such other Methods and Courses as they shall judge fit, for stating and In-bringing of the Pole-Money imposed by the said Act: Do hereby Order and Appoint the Commissioners of Supply in each Shire, to meet with all convenient Diligence at the Head-Burgh or other usual place of Meeting, within the said Shire by their Conveener; or if they have none, by the Sheriff for that effect; And there to Order one of their Number *per vices*, to Attend or keep Court Weekly two days at least, *viz. Tuesday and Thursday* each Week at the said Burgh. As also, That the Magistrats of Burghs Royal, Appoint one of their Number to Attend and keep Court Weekly *per vices* within their Burgh at least two days each Week, to the effect the said Commissioner or Magistrat to be appointed, may give out Warrands for Citation, at the Instance of the Tacksmen of the said Pole, or any having their Order, against the persons lyable in payment of the said Pole, Single, Double, or Quadruple, the Single and Double being always included in the said Quadruples, being the highest and outmost wherein any person can be lyable by the said Act; and sustain Process and Administer Justice, and pass Decrees against the saids Persons lyable, conform to the said Act of Parliament. As also, that Process be sustained in the case foresaid, upon a Citation to one Dyet, whereupon the Persons cited, if personally apprehended, may be likewise holden as Conest, and that upon the Decrees to be given by the said Commissioners or Magistrats of Burghs against the Persons lyable in the foresaid Pole; The like summar Execution may be directed as upon Decrees for Supply or Excise, Quartering only excepted: And farther, that a Precept or Letters may be directed against all these that shall be decerned for the said Pole within one Shire or Burgh, and that the several Persons and Sums therein contained shall not make several Causes, but shall only be payed for as one Cause: And the saids Lords do hereby appoint & ordain all Clerks of Shires and of Burghs Royal, to exhibite and make patent to the said Tacksmen, or any having their Order, their respective Valuation and Stent-Roll when required, in order to particular mens Stents or Valuation, whose Poles are not otherways determined; As likewise, that the Inhabitants of Burghs Royal give Lists when required, of such as Reside within their Families; and that the Magistrats give the necessary Orders for that effect: and the foresaid Clerks of Shires and Burghs, and also their Collectors, are hereby Ordained to give to the saids Tacksmen or these having their Orders, Notes or Abstracts of what Instruments may be taken in their hands by any Person lyable in the said Pole, anent their Listing or paying. And lastly, the saids Lords of His Majesties Privy Council, Require and Ordain the Commissioners of the said Shires, to cause their Clerks give Extracts of their Collectors Bonds to the said Tacksmen, or any having their Order; And if need beis, that they give also summar Processes and Execution at the Instance of the said Tacksmen and their foresaid, against the saids Collectors and their Cautioners, upon their saids Bonds as Accords. And the saids Commissioners and Magistrats of Burghs, and all others concerned, are hereby strictly Comanded and Required to Observe and Perform the Premises as they will be answerable. And these Presents are Ordained to be Printed and Published at the Mercat Crosses of the Head-Burghs or Shires, and of all Burghs Royal in the usual Form. *Extracted by me*

GILB. ELIOT *Cls. Sti. Concilii.*



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Scotland. - Laws, etc. - III. William III.

# PROCLAMATION

*Allowing the free Transporting of Victual from one Shire to another, and the Importation of Forraign Victual free of Custom, and twenty shilling Scots for each Imported Boll thereof.*

**W**ILLIAM by the Grace of GOD, King of Great Britain, France and Ireland Defender of the Faith, To  
Masters of our Privy Council, Messengers at Arms; our Sheriffs in  
that part, conjunctly and severally specially Constituted Greeting, Forasmuch as the growing Necessity of the Poorer sort of our  
Subjects, in many parts of this Kingdom, do require our special care for their Relief; And albeit several methods have  
been laid down, and Measures Prescribed by former Proclamations of our Privy Council, to have supplied and provided them at reasonable  
and easie Rates, by the native product and Growth of this Kingdom: Yet through the present Scarcity there being several places in the Countrey,  
not able to Subsist upon the Growth and Victual within their own Bounds, and in other places the Poorer sort not able competently to provide  
themselves at the Current Rates. All which does necessarily require that both there may be a free Course of Buying and Selling Victual  
through the whole Kingdom, And likewise all Incouragement given for Importing Victual from any Foreign Country or Kingdom to this Nation,  
on, during the space aftermentioned; And that this hopeful Season gives good ground to expect an earlie Harvest, so that a small Supplie  
from Abroad, may afford great Relief, and keep the Mercats at a Moderat Rate: Therefore, and to the Effect the Mercats may be duly Sup-  
plied and furnished with Victual that is yet within the Country, and likewise with Foreign Victual by any who shall Import the same.  
We with advice of the Lords of our Privy Council, not only ratifie and approve all former Proclamations, Acts, Orders, and Commissions a-  
gainst Regraters of Victual, and Forstalers of the Mercats, And ordain and require the same to be punctually observed, and put to Executi-  
on according to the Tenor thereof, and Acts of Parliament made thereanent, In so far as may extend to or concern Regrating of Victual, and  
Forstalling of Mercats. But likewise we with advice foresaid, do hereby grant Licence, and full Liberty to all persons whatsoever, For-  
raigners or Natives, to Import Victual or Corns of all Sorts, either by Sea or Land, from any other Kingdom or Country whatsoever, until  
the fifteenth day of August next to come, and that free of Custom, Excise or other Impositions, for all that shall be Imported, after the date  
hereof, during the time foresaid, and recommends it to the Commissioners of our Thesaury, to Discharge the exacting of any such Custom, Excise  
or Imposition for the said Victual, to be Imported; Notwithstanding of any Act of Parliament or Book of Rates Imposing the same. And  
for a farther Incouragement and invitation, to all such who shall Import and bring in to this Kingdom, Victual or Corn of any Sort, betwixt  
and the day foresaid, We with advice of the Lords of our Privy Council, do hereby Appoint and Ordain the Sum of twenty shilling Scots,  
for each Boll of the said Foreign Victual Imported after the day and Date hereof, and before the said fifteenth day of August next, to be immedi-  
ately given and payed out of our Customs to the Importer thereof, upon his Oath of Verity of the number of Bolls Imported by him, taken  
in presence of any of the Sheriffs of the Several Shires of this Kingdom, Baillies of Regalities, or Baillies, Stewards of the Stewartries or their  
Respective Deputs, Magistrates of Burghs, or any one of the Commissioners of Supplie, or Justices of Peace, within the same, Subscribed with  
their Hand, and attested by the foresaid Judges, and of which twenty shilling Scots, We with advice foresaid, Require and Command the  
Tacksmen and Farmers of our Customs, and their Collectors and other Receavers at the Respective Custom-Houses, to make present and im-  
mediat payment for each Boll of Foreign Victual Imported by Sea or Land, to the Importer thereof, upon his Receipt to be given upon the  
Back of the foresaid Subscribed Oath of the Number of Bolls Imported; And which Receipt, We with advice foresaid, declare and ordain  
to be a sufficient Exonerat[i]on to the saids Tacksmen and Farmers of our Customs, and their Collectors of their said Tack-duty, and to be allowed  
to them in the fore-end thereof *pro tanto*. Certifying such of the saids Collectors or other persons Employed to receive money at the Respective  
Custom Houses, by the Tacksmen and Farmers of our saids Customs, That if they Failzie to make due and punctual payment of the said twenty  
shilling Scots for each Boll of Imported Victual, or postpone & delay the Importers thereof, in the ready payment of the said Sum, when the said  
Subscribed Oath, & Receipt is offered to them, they shall not only be declared, & *ipso facto* thereby become Incapable to serve or be Employed by  
our said Farmers in any Office or Trust under them, in uplitting our saids Customs, but be farther lyable in the double of what they shall so refuse  
or Postpone the Payment of as Penaltie and Damages to be recovered from them by the partie, by their presents, and the foresaid Subscrib-  
ed Oath upon Proces to be Intended therefore, and verified by Instrument taken against the saids Collectors or Receavers, requiring payment  
in manner abovementioned. And further to the effect all our Subjects within this Kingdom may be supplied and releaved out of the Native  
Product and Growth of this Kingdom with all possible equality and proportion; in the mean time, We with advice foresaid, give full Li-  
bertie and Permission to a free course of Mercats for Selling Victual through all parts of the Kingdom, whether the said Victual or Corn was  
the Growth of the Shire where it is sold or not, and that at what Rates and Prices either of ready Money, or to a day the Buyers and Sellers  
can best agree upon, and hereby Discharges all Persons whatsoever from troubling and molesting any Persons whatsoever, in the Transporting  
Victual to Mercats or otherwise from one Shire to another, under their Highest Perill. OUR WILL IS HEREFOR E, and we  
Charge you strictly and Command, that Incontinent these our Letters seen ye pass to the Mercat Cross of Edinburgh, and Remanent Mercat  
Crosses of the Head-Burghs of the several Shires and Stewartries within this Kingdom, and therat, in our Name and Authority, by open Pro-  
clamation, make intimation hereof, That none pretend Ignorance. And Ordains these Presents to be Printed.

*Given under Our Signet at Edinburgh the Ninth Day of June, and of Our Reign the Eleventh Year, 1699.*

*Per Actum Dominorum Secreti Concilii.*

GILB. ELIOT. *Clk. Sti. Concilii.*

## God Save the King.





# PROCLAMATION

*For Adjourning the Parliament.*

**W**ILLIAM by the Grace of GOD, King of Great-Britain France and Ireland, Defender of the Faith : To Our Lyon King at Arms and his Brethren, Heraulds, Macers of Our Privy Council, Pursevants, Messengers at Arms, Our Sheriffs in that part, conjunctly and severally, specially constitute, Greeting : *Forasmuch as*, We by Our Proclamation, of the Date the ninth day of June last by past, did Adjourn this Our current Parliament to the twelfth day of September next to come : And whereas the present state of Our Affairs, does not require the Meeting of Our Parliament so soon as the said Day to which it was Adjourned : Therefore We with Advice of the Lords of Our Privy Council are resolved to continue the said Adjournment from the said twelfth Day of September next to come, to the eight day of November next thereafter ; And that the Members of Our said Parliament be not put to unnecessary Trouble and Charges before that time ; We do hereby with Advice foresaid continue the Adjournment of Our said Parliament from the said twelfth day of September to the said Eight day of November next to come : And We do hereby Order and Require all the Members of Our said Parliament, to attend the said eight day of November next at *Edinburgh*, in the usual Way and under the Certifications contained in the several Acts of Parliament made thereanent. OUR WILL IS HEREFOR, and We Charge you strictly and Command, that incontinent these Our Letters seen, ye pass to the Mercat-Crois of *Edinburgh*, and to the Mercat Croffes of the Remanent Head-Burghs of the several Shires and Stewartries of this Our Antient Kingdom, and there by open Proclamation make Intimation, that Our said Parliament is Adjourned to the said eight day of November next to come : And ordains these presents to be Printed.

*Given under Our Signet at Edinburgh the last day of August, and of Our Reign the eleventh year 1699.*

*Per Actum Dominorum Secreti Concilii.*  
GILB. ELLIOT *Clk. Sti. Concilii.*

## GOD Save the King

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*Edinburgh, Printed by the Heirs and Successors of Andrew Anderson Printer to the Kings most Excellent Majesty, Anno D.m. 1699.*





# PROCLAMATION

*Regulating several Particulars anent the Pole, and Intimating the next Years Pole.*

**W**ILLIAM by the Grace of GOD, King of Great-Britain, France and Ireland, Defender of the Faith, To  
Maceres of Our privy Council, Messengers at Arms, Our Sheriffs in that part, conjunctly and severally, specially constitute Greeting : *Forasmuch as* the first years Pole-money imposed by an Act of the last Session of this Our current Parliament, is not duely and completely payed in to the Tacksmen or Farmers thereof, by sundry Persons lyable in Payment of the same, Notwithstanding of the foresaid Act of Parliament and several Proclamations of Our Privy Council past and published thereanent ; But several Doubts and Difficulties are alledged and pretended before the several Magistrats and others appointed as Judges, betwixt the saids Tacksmen and Farmers, and any of Our Liedges, anent the payment of the said Pole-money, whereby the Diligence allowed by the foresaid Act of Parliament for raising and in-bringing of the foresaid Pole money, is very much Obstructed and Delayed : For Remeid whereof, We with Advice of the Lords of Our Privy Council, Appoint and Ordain all Ministers of the Gospel and Women Unmarried, who are of free Stock and Means, in the Terms of the foresaid Act of Parliament, to be lyable in their single Pole, as well as any other of Our Leidegs ; And that where there is a Widow Liferentrix and Fiar upon one and the same Estate, That the Fiar be lyable in Pole-money, conform to his valued Rent, mentioned in the foresaid Act of Parliament, and the Widow to be lyable to a third part of what her Husband would have payed, if polled the time of his Decease : And sikklike all Heretors below Sixty pounds of valued Rent, and of a thousand Merks of free Stock or upwards, besides their saids Lands, should be lyable in Pole-money effair and to the rate of their said Stock. *Item* that all persons out of the Kingdom, having an Estate Real or Moveable within the same, to be lyable in Pole-money according to the value thereof, in the Terms and conform to the respective Classes and Characters specified in the said Act of Parliament ; And their Tutors and Curators, Factors or Chamberlands, maybe Conveened for payment of the single Pole, for which the said absent Persons are lyable accordingly, unless the saids Persons were out of the Kingdom forty days before the thirty day of August 1698, and did not return to the same for forty days after the first day of March, one thousand six hundred ninety nine years ; And sikklike, that all persons not Writers to the Signet, who Design themselves Writers or commonly practise Writing of Bonds, Discharges or the like, be lyable conform to the foresaid Act of Parliament : And We with Advice foresaid Require and Command the Sheriffs of the several Shires, Magistrats of Burghs, Commissioners of Supply, Stewarts of Stewartries, Baillies of Regalities or Baronies or their respective Deputes, and all other persons Authorized by any of Our former proclamations, to proceed and determine in the Cases above-set down, in manner above-mentioned : And that they and each of them keep Courts and hold Dyers at the Head Burghs of the respective Shires, Stewartries and Regalities, for deciding all Differences betwixt the saids Tacksmen and Our Leidges anent their Pole-money, and that how oft they shall be Desired and Required by the saids Tacksmen for that effect, and that they shall not proceed to Judge and Determine any Differences anent the Pole-money, except at the saids respective Head-Burghs allennerly, unless the saids Tacksmen, their Sub-tacksmen or Collectors shall desire the same or Consent thereto. And *Forasmuch as* the time for Stating and Classing all persons lyable in the second years Pole imposed by the twenty fifth Act of the last Session of this current Parliament doth Approach, and that it is necessary Our Liedges have due Intimation thereof, To the effect they may prevent their being lyable to the Certifications contained in the Act of Parliament made thereanent : Therefore We, with Advice foresaid, Require and Command all Our Liedges, whose Conditions or Characters are altered, or who did not duely Class themselves in the last years Pole, now to Class themselves and give in the List of their Poles, under the Certification as for the former year, Declaring all persons who duely Classed themselves the last year, and whose Conditions, are not altered as said is, free of new Classing and Lifting, but still lyable as Classed the said last year ; And the Commissioners of Supply are to meet and divide themselves, and do every other thing anent the Stating, Classing as above, and inbringing of the afore said Pole-money for this ensuing year, as they were appointed by the foresaid Act of Parliament, anent the last years Pole-money, and this present or any other former Proclamation past and published thereanent : All which are hereby Revived and Declared to be in full Force and Effect, in reference to all Persons and things therein contained, for Stating as above, uplifting and paying the said Pole-money for this ensuing year, sikklike and in the same manner as they were for the Pole-money in the year preceeding. OUR WILL IS HEREFOR, and We charge you strictly and Command, that incontinent these Our Letters seen, ye pass to the Mercat-Cross of Edinburgh, and Remanent Mercat-Crosses of the hail Head Burghs of the several Shires and Stewartries within this Kingdom, and therein Our Name and Authority by open Proclamation make Intimation hereof, That none may pretend Ignorance. And Ordains thir presents to be Printed and published.

*Given under Our Signet at Edinburgh the Fifteenth day of September, and of Our Reign the Eleventh year, 1699.*

GOD Save the King

*Per Actum Dominorum Secreti Concilii.  
GILB. ELLIOT Cls. Sii. Concilii*

Edinburgh, Printed by the Heirs and Successors of Andrew Anderson, Printer to the Kings most Excellent Majesty, Anno Dom. 1699.





# PROCLAMATION

## *Discharging Bonfires and Illuminations.*



**WILLIAM** by the Grace of GOD, King of Great Britain, France and Ireland, Defender of the Faith; To Macers of Our Privy Council, Messengers at Arms, Our Sheriffs in that part, conjunctly and severally, specially Constitute, Greeting: *Forasmuch as* it is found, that on the occasion of Illuminations, and other Expressions of publick Joy, by Bonfires or otherways, several Inconveniencies and Abuses happen, no ways to be suffered or tollerat under any civil Government: *Therefore*, We with Advice of the Lords of Our Privy Council, have thought fit to Prohibit and Discharge; Likeas, We hereby prohibit and Discharge all Illuminations or Bonfires used for Expressions of publick Joy to be made in any Burgh within this Realm, or any pretence whatsoever; Certifying all such as shall do on the contrair, or be accessory thereto, that they shall be reputed and punished as guilty of a Ryot, and Breakers of the publick Peace; And farther, we with consent foresaid, do hereby impower, and strictly Require all Magistrats of Burghs, and other Officers of the Law that may be concerned, to do their outmost diligence, and if need beis, to call for, and use the Assistance of such of Our Forces as shall be found within their Bounds, for preventing and repressing thereof, and Seizing and Apprehending the Contraveeners, as they will be answerable on their highest perril **OUR WILL IS HEREOF**, and We charge you strictly, and Command, that incontinent these Our Letters seen, ye pass to the Mercat-Cross of Edinburgh, and remanent Mercat-Crosses of the haill Head-Burghs of the several Shires and Stewartries within this Kingdom, and there in Our Name and Authority, by open Proclamation, make Intimation of the Premisses, that none pretend ignorance, and Ordains these Presents to be Printed and Published.

*Given under Our Signet at Edinburgh the twenty second day of June, and of Our Reign the Twelfth year 1700.*

*Per actum Dominorum Secreti Consilii.*

G I L B. ELIOT *Cls. s*i*. Consilii.*

*God save the King.*

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Edinburgh, Printed by the Heirs and Successors of Andrew Anderson, Printer to the King's most Excellent Majesty, *Anno Dom. 1700.*





# PROCLAMATION

*For Adjourning the Parliament to the 13  
day of August next to come.*



**WILLIAM** by the Grace of GOD, King of Great-Britain, France and Ireland, Defender of the Faith; To Our Lyon King at Arms, and his Brethren Heralds, Masters of Our Privy Council, Pursevants, Messengers at Arms, Our Sheriffs in that part, conjunctly and severally, specially Constitute, Greetings; *Forasmuch as,* We by Our Proclamation of the Date the seventeenth day of June last by-past, have Adjourned this Our current Parliament of this Our Antient Kingdom of Scotland to the fourth day of July now instant then next to come; And whereas several things have occurred since that time, which makes it necessary that Our said Parliament be farther Adjourned: *Therefore,* and that the Members of Our said Parliament may not be put to unnecessary Charges and Attendance; We with Advice of the Lords of Our Privy Council, have Adjourned, and hereby adjourns this Our said current Parliament from the said fourth day of July instant to the thirteenth day of August next to come. And do hereby Order and Require all the Members of Our said Parliament to attend at *Edinburgh* the said thirteenth day of August next to come, in the usual way, and under the Certifications contained in the several Acts of Parliament made thereanent. **OUR WILL IS HEREFOR,** and We Charge you strictly, and Command, that incontinent these Our Letters seen, ye pass to the Mercat-Cross of *Edinburgh*, and to the Mercat-Crosses of the remanent Head-Burghs of the several Shires and Stewartries within this Kingdom, and there in Our Name and Authority, by open Proclamation, make Intimation that Our said Parliament is adjourned from the said fourth day of July to the said thirteenth day of August next to come, and Ordains these Presents to be Printed.

*Given under Our Signet at Edinburgh the first day of July, and of Our Reign the Twelfth year 1700.*

*Per actum Dominorum secreti Consilii.*

**GILBERT ELIOT** *Cl. s. Consilii.*

*God save the King.*

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*Edinburgh, Printed by the Heirs and Successors of Andrew Anderson, Printer to the King's most Excellent Majesty, Anno Dom. 1700.*

# PROCLAMATION

*For Discovering and Apprehending House-breakers, Thieves and Robbers, and their Refetters.*

**W**ILLIAM by the Grace of GOD, King of Great-Britain, France and Ireland, Defender of the Faith, To

Macers of Our Privy Council, Messengers at Arms, Our Sheriffs in that part, conjunctly and severally, specially constitute, Greeting: Forasmuch as it is certainly informed, that of late there has been many Houses broken, and that this Crime of House-breaking is become in a manner general over all the Kingdom, by Thieves and Robbers, who have stolen, robbed, and away-taken, great quantities of Goods out of the saids Houses, to the great loss and damage of many people; and to the effect that the saids Thieves and Robbers may be discovered, and brought to condign punishment: Therefore We, with advice of the Lords of Our Privy Council, have thought fit by open Proclamation to give notice, that if any person or persons shall discover any of these Thieves, Robbers, and House-breakers, or their Refetters, so as that they may be apprehended and brought to punishment, they shall have the Sum of an hundred Pounds Scots Money as a Reward for every person that shall be discovered and apprehended, so as they may be brought to punishment, as said is. As also, if any of these Thieves, Robbers, and House-breakers, or the Refetters, shall discover any of their Accomplishes, so as that they may be apprehended and brought to punishment, as aforesaid, the discoverer shall not only be indemnified for the Crime, but likewise have the foresaid Reward. And farther, We with Advice foresaid, recommend to, and impower all Our good Subjects, to seize and apprehend all Idle and Vagrant Persons, or Vagabonds, and bring them before the next Justice of Peace, or other Magistrats to Burgh or Landwart, to be by them secured as Law will. OUR WILL IS HEREOF, and We Charge you strictly, and Command, that incontinent these Our Letters seen, ye pass to the Mercat-Cross of Edinburgh, and other remanent Mercat-Crosses of the hail Head Burghs of the several Shires and Stewartries within this Kingdom, and thereat in Our Name and Authority, by open Proclamation make Intimation of the Premises, that none pretend ignorance. And ordains these presents to be Printed and Published.

*Given under Our Signet at Edinburgh, the second day of August, and of Our Reign the twelfth year 1700.*

*Per Actum Dominorum Secreti Concilii.*

*GILB. ELIOT Cls. Sti Concilii.*

*GOD save the King.*